

**LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES**

**BOARD MEETING**

**September 6-7, 1990**

**WARREN POL**

**CHAIRMAN**

**MONTELEONE HOTEL  
NEW ORLEANS, LOUISIANA**

**AGENDA**  
**LOUISIANA WILDLIFE AND FISHERIES COMMISSION**  
**MONTELEONE HOTEL**  
**NEW ORLEANS, LOUISIANA**  
**SEPTEMBER 6-7, 1990**

	Page
1) Roll Call	1
2) Approval of Minutes, August 9-10, 1990	1
3) National Wild turkey Federation	1
4) Declaration of Emergency and Notice of Intent for DMAP Regulations	2
5) Disposition Reports of District Attorneys	6
6) Declaration of Emergency - Bayou Sauvage/Orleans Parish	8
7) August Shrimp Season	12
8) Update on Spotted Seatrout Sampling Results	14
9) Notice of Intent - Daily Bag and Possession Limit for Freshwater Trout	23
10) Update on the Inshore Artificial Reef Program	24
11) Monthly Law Enforcement Report	27
12) Ratification of Public Oyster Seed Grounds - Vermilion, East and West Cote Blanche and Atchafalaya Bays	29
13) Surplus and Sale - New Orleans Property	30
14) Other Business:	
1) Dravo	33
15) Secretary's Report to the Commission	34
16) Executive Session	41
17) Adjournment	41

**MINUTES OF MEETING OF  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
SEPTEMBER 6-7, 1990**

Chairman Warren I. Pol presiding:

Thursday, September 6, 1990

Houston Foret  
Don Hines  
Jimmy Jenkins  
Pete Vujnovich

Secretary Van Sickle was also present.

Commissioners Bert Jones and Norman McCall were absent. Secretary Van Sickle advised that she had talked with Mr. Jones and due to unforeseen business reason he could not attend but if his presence was need he would be available.

Friday, September 7, 1990

Houston Foret  
Don Hines  
Jimmy Jenkins  
Pete Vujnovich

Secretary Van Sickle was also present.

Commissioners Bert Jones and Norman McCall were absent.

At Thursday's meeting a motion was made by Mr. Jenkins and seconded by Captain Vujnovich to approve the Minutes of the August 9-10, 1990. The minutes passed unanimously.

At Thursday's meeting Mr. Hugh Bateman introduced the representatives from the National Wild Turkey Federation (NWTf) who would sign and explain the formal agreement between the department and the National Wild Turkey Federation. Also attending were representatives from the Louisiana Wild Turkey Federation (LWTF). Those representing the NWTf were Mr. Shaun Viguerie-President, Mr. Rob Kake-Executive Vice President, Mr. Ron Brennan-Assistant Director of Research and Management, and Dr. James Earl Kinnermer-Director of Research and Management. Those representing the LWTF were Mr. Mike Grace-President, Mr. Luke Lewis and Mr. Bill Walls. At this point Mr. Rob Keck addressed the Commission and those attending the meeting to explain the purpose of the agreement. The NWTf has been working with the department long before the signing of the Memorandum of Understanding (MOU). The signing of the MOU with Louisiana will make the 43rd state agency that the NWTf has signed with. Mr. Keck asked Dr. Kinnermer to give some specifics

before the signing of the formal document. Dr. Kinnermer advised that there are a lot of opportunities to enhance the wild turkey program in Louisiana. Some of the opportunities that Dr. Kinnermer pointed out were help with the problems of pen-reared birds, a new booklet compiled by the agency with funding through the superfund, grant-in-aid program, coordinating with the agency closely. The NWTf is a support agency to the department and will not in any way take away the department's responsibilities. At this time in the meeting Mr. Rob Keck along with Chairman Warren I. Pol and Secretary Virginia Van Sickle signed the Memorandum of Agreement thus making Louisiana the 43rd state to do so. Upon completing the signing of the MOU Chairman Pol thanked the Wild Turkey Federation for their efforts.

At Thursday's meeting the **Declaration of Emergency and Notice of Intent for the DMAP Regulations** were brought before the Commission by Mr. Dave Morrison. Mr. Morrison explained that the Declaration of Emergency and Notice of Intent were prepared in response to House Bill 1346 sponsored by Representative Randy Roach in the 1990 Legislative session. House Bill 1346 directs the department to establish rules and regulations concerning the marking of lands enrolled in the Deer Management Assistance Program. These rules and regulations will enable the department to work with the cooperators and cite trespassers with taking of wildlife illegally. Prior to enactment of this legislation all that could be done was for the cooperator to file a civil suit if he found trespassers on his property. This legislation will now enable the cooperators to file state charges on trespassers for taking wildlife. Mr. Morrison pointed out that the rules and regulations that the Commission will be adopting are strictly voluntarily for the cooperators. As set up in the legislation the cooperators do not have to conform to the rules and regulations but will not receive any benefits of the act. Mr. Morrison asked if the Commissioners had any questions. Dr. Hines asked if the department would be selling or providing the DMAP signs. Mr. Morrison explained that the department will not have any of the signs for purchase but the various district offices have been given the name and address of the company where the signs can be obtained by the cooperators. The signs can be made of plastic, wood or whatever the cooperator chooses. Mr. Morrison then presented the resolution for adoption including the emergency declaration and notice of intent. Mr. Jenkins made a motion that the Commission adopt the resolution. The motion was seconded by Dr. Hines and passed unanimously.

(The full text of the resolution  
is made a part of the record)

RESOLUTION  
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD IN NEW ORLEANS, SEPTEMBER 6, 1990.

WHEREAS, R.S. 56:111.1 was passed during the 1990 Legislative Session, and

WHEREAS, this statute directs the Louisiana Department of Wildlife and Fisheries to develop regulations to provide for marking property enrolled in the Deer Management Assistance Program (DMAP), and

WHEREAS, these regulations will allow trespassers to be charged with illegal harvest of wildlife species on lands enrolled in the DMAP, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has developed regulations concerning placement and type of signs, and

WHEREAS, these rules and regulations need to be established prior to the 1990-91 deer season, and

WHEREAS, compliance with these rules and regulations will be voluntary for DMAP cooperators, now

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby adopt the attached rules and regulations in response to R.S. 56:111.1 by Declaration of Emergency, and

BE IT FURTHER RESOLVED that these rules and regulations will be established as a permanent rule in accordance with the Administrative Procedure Act.

Virginia Van Sickle  
Secretary

Warren I. Pol  
Chairman

(The full text of the Declaration of  
of Emergency is made a part of the  
record)

DECLARATION OF EMERGENCY  
DEPARTMENT OF WILDLIFE AND FISHERIES  
WILDLIFE AND FISHERIES COMMISSION

In accordance with the provision of R.S. 49:953B and in order to establish rules and regulations mandated by R.S. 56:111.1 passed during the 1990 legislative session, the Secretary of the Louisiana Department of Wildlife and Fisheries and Louisiana Wildlife and Fisheries Commission hereby finds that the public welfare is best served by adopting the following emergency rule prior to the 1990-

91 deer season. The emergency rule shall establish criteria pertaining to the making of property enrolled in the Department's voluntary Deer Management Assistance Program that will allow cooperators to prosecute trespassers for taking wildlife from these posted lands. Rules and regulations shall be as follows:

Sign Color:	Orange
Size:	11 1/4" x 11 1/4"
Lettering:	The words DMAP and Posted can be no less than 4" (four inches) in height.
Construction:	Metal Wood, plastic, paper or other material
Placement:	Signs will be placed no more than 200' (two hundred feet) apart and at each point of entry.

The Louisiana Wildlife and Fisheries Commission and Louisiana Department of Wildlife and Fisheries will effectuate a permanent rule that will implement these regulations beyond the 120 day period by a Declaration of Emergency.

Warren Pol  
Chairman

(The full text of the Notice of  
Intent is made a part of the record)

NOTICE OF INTENT  
DEPARTMENT OF WILDLIFE AND FISHERIES  
WILDLIFE AND FISHERIES COMMISSION

TITLE 76

WILDLIFE AND FISHERIES

Part V: Wild Birds and Wild Quadrupeds

Chapter 1: Wild Quadrupeds  
Section: 109: Regulation for Signs and Sign Placement for DMAP  
Cooperators

The Wildlife and Fisheries Commission does hereby give notice of its intent to promulgate a Rule to establish rules governing sign regulations and placement on Deer Management Assistance Program cooperators. Said notice is in response to Act 499 of the 1990 Legislative Session and compliance is optional for cooperators in this voluntary Department program. This rule is attached and made part of this Notice of Intent.

Public hearings concerning the proposed rule will be held at regularly scheduled Commission meeting in October and November.

Additionally, interested parties may submit written comments relative to the proposed rule until 4:30 p.m., November 30, 1990 to Clyde Vienne, Deer Management Assistance Program Coordinator, Box 98000, Baton Rouge, LA 70898-9000.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:111.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16: ( ).

Warren Pol  
Chairman

## RULE

### DEPARTMENT OF WILDLIFE AND FISHERIES WILDLIFE AND FISHERIES COMMISSION

#### TITLE 76

#### WILDLIFE AND FISHERIES

#### Part V: Wild Birds and Wild Quadrupeds

##### Chapter 1: Wild Quadrupeds

##### Section 109: Regulation for Sign and Sign Placement for DMAP Cooperators

Rules and regulations to comply with R.S. 56:111.1 relative to the Deer Management Assistance Program and which will prohibit unauthorized persons from taking game on Deer Management Assistance Program areas are as follows:

Sign Color:	Orange
Size:	11 1/4" X 11 1/4"
Lettering:	The words DMAP and Posted can be no less than 4" (four inches) in height.
Construction:	Metal, wood, plastic, paper or other material.
Placement:	Signs will be placed no more than 200' (two hundred feet) apart and at each point of entry.

The provisions of this Act are applicable only to clubs enrolled in the Deer Management Assistance Program and participation with the requirement of R.S. 56:111.1 are optional.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:111.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16: ( ).

Warren Pol  
Chairman

Secretary Van Sickle pointed out that the department did support the passage of this bill that enabled these trespass laws to be strengthened and this is one step in improving the rights of the landowner especially those participating in the DMAP program.

Chairman Pol asked what did it really do to strengthen the rights of the landowner?

Mr. Bateman explained that in the past if a hunting club was enrolled in the DMAP program and just had the regular "Posted" signs around the area and if a person trespassed on the property and took a buck deer when the deer season was opened on the outside of the DMAP area that person could only be charged with trespassing. These regulations will allow the department to actually file a much more serious charge against the individual in addition to trespassing. This regulation will actually strengthen a person's ability to protect his property if he is willing to pay the fees and manage the deer.

Chairman Pol asked if anyone had questions as this is a very important item and it is going to be used in the future.

A gentleman from the audience asked about the signs, the cost it would entail and if it cost anything extra to belong to DMAP. Mr. Morrison advised that with the type of sign that was shown at the meeting it would cost about fifty cents a sign and there is a \$25 Administrative fee plus a nickel an acre with a minimum of 500 acres.

Mr. Bateman explained that the Commission passed the fees that were to be assessed this last year and in conjunction with this particular item it is interesting to know that all the results are in from the last year and extra income to the department was about \$88,000 additional conservation dollars.

Chairman Pol asked if many people had dropped out of the program when the fees were passed. Mr. Bateman advised that about ten percent of the total clubs were lost and the people that were serious about managing their deer stayed in the program. There were some new clubs gained and lost clubs that were borderline that should not have been in the program. Mr. Bateman stated that they are working with the department's Data Processing Section in putting together a report that will show what every cooperator has done in terms of number of deer taken, number of antlerless, sizes, weights, age classes, etc. and once this program is in place there will be a report available every year for the Commission and the public.

At Thursday's meeting Mr. Kell McInnis gave an update on the Disposition Reports of the District Attorneys. Mr. McInnis advised



that the Commissioners had received a synopsis of the disposition reports of the district attorneys in their folders. Last spring a 90 day report was mailed out asking the district attorneys to respond which brought a good reply. Those that did not respond were either inadequately prepared to do so, did not have the personnel to do so, or had gone so far as to having being so far out of the time frame that they had to go to the Clerk's office and remove materials from achieves. The department met with the District Attorney's Association again and modifications were made in the disposition report request, going to a six month time frame as opposed to a three month time frame. Mr. McInnis informed the Commissioners that he had spoken with several district attorneys in the last couple of days that have not been able to get their report in. Mr. John Mamoulides' office, Orleans, indicated that the report was prepared and waiting for his review; attempted to contact the district attorney's office in Jeff Davis Parish and was unable to do so; spoke with Mr. Greenburg's in Terrebonne and they indicated that they had the disposition blue sheets and were working on them; Mr. Stansberry has not responded but Mr. McInnis has reason to believe that he will comply shortly; Mr. Blake in Bienville, Claiborne and Jackson has not responded and Mr. McInnis will be checking with him. Mr. McInnis advised that if any of the Commissioners were interested in any particular area to let him know.

Chairman Pol asked if there were any district attorneys who actually refuse to do the report. Mr. McInnis answered "no" not to his knowledge. Mr. Jenkins asked when Mr. McInnis thought this reporting system would be in shape to look at on a quarterly basis. Mr. McInnis advised that what was decided after meeting with the District Attorney's Association was to work on a semi-annual basis rather than a quarterly because of their records and time frame.

One thing that the department did run across was that the Class I Violations were not being given the serious treatment that they should have been. Records indicated that they were not being addressed in the Criminal Court system and Mr. McInnis advised that he will address this item in his next presentation to the Commission.

Mr. McInnis asked if there were any questions concerning the district attorney's reports. Chairman Pol asked if anyone from the audience would like to address Mr. McInnis and explained that the department and Commission is asking the district attorneys to more or less cooperate with the department in trying to bring some of the offenders to a quick trial. A gentleman from the audience asked if reports were being received from St. Bernard parish. Mr. McInnis advised that both reports have been received from St. Bernard parish. Secretary Van Sickle stated that a copy of the report could be obtained from the department.

At Thursday's meeting Mr. McInnis reported on House Bill 1265 (Act 899) Class 1 Violation Modification. Mr. McInnis reported that Class 1 Violations are relatively minor offenses. These violations run from life jackets, fire extinguishers, etc. and are very serious in nature because of their safety ramifications. The penalty for these types of violations are such that the Criminal Court system by sheer volume did not give them the same attention that was felt was necessary to put the violator on notice. These are relatively minor fines, \$25 plus court cost depending on the parish. There was also somewhat of a reluctance of the prosecutors to create a criminal record for violators in this category. Research indicated that 79.6% percent of the total amount of the Class 1's that were issued did not result in a conviction or guilty plea. After discussion with the District Attorney's Association and in-house through the Enforcement Division and the Administrative staff it was felt that there was an opportunity to remove this violation from the Criminal Court system and turn it into an administrative type fine thus bringing the revenues back to the department. As a result, HB 1265 introduced by Representative Adley which allows or provides for a civil penalty for those persons who are charged with this Class 1 violation. The procedure that will be utilized is that once a violator is charged with a Class 1 he is not sent to the court house. The violator can either sign his name on the ticket and send in the fine or he can sign his name on the ticket and indicate that he wishes to have a hearing on the particular case. Mr. McInnis advised that this procedure has been going on for the last three or four weeks and has only received one phone call pertaining to the interpretation of the law as to whether one or both persons should have received a ticket. Administrative hearings have been scheduled for those persons who have requested them and currently there will be a series of hearings beginning later this month. There will be a hearing in each region until it is determined whether or not there is enough demand to have these hearings on a region by region basis. If there is not enough demand the department will seek to modify this. The initial fine is \$50 plus \$25. The second offense will not be used in a habitual offender matter for Criminal Court, it will strictly be a second offense for the department's purposes. The fine for the second offense is \$100, the third and subsequent offenses are \$200, to be paid to the department by certified check and collected in Baton Rouge.

Dr. Hines asked who was going to conduct the Administrative hearings. Mr. McInnis answered the Legal staff of the department would be handling this initially until a determination can be made as to whether or not the department needs to employ an Administrative hearing judge.

Chairman Pol asked if there were any questions. There being none the next item for Thursday's meeting was a Declaration of Emergency-Bayou Sauvage/Orleans Parish-Enforcement of Parish

**Hunting Ordinance and/or Total Closure of Hunting Season for Certain Areas in Orleans Parish.**

Mr. McInnis stated that this is not really as difficult as it sounds and Captain Dares from the Region VIII office has a map that gives a much clearer picture. Orleans parish is basically closed to the discharge of any firearm and this area is all contained in Orleans parish pointed out Mr. McInnis. The area in question contains the new federal refuge Bayou Sauvage. It is not the entire area but it is the bulk of it stated Mr. McInnis. There are some small in-holdings adjoining the refuge that the department seeks a clarification for support. What is simply being said is that the Commission recognizes that the refuge is there, there is no hunting by firearm allowed now and the department would like to close it completely to hunting in a certain area. Mr. McInnis asked Captain Sandy Dares to describe the area. Captain Dares advised that the area east of Chef Pass is not affected by this because it is exempted under the Parish ordinance. The area that is affected is from Chef Pass, west. This area would include the entire remainder of Orleans parish north of the Intercoastal Waterway. This is the City of New Orleans, New Orleans East area, out to Bayou Sauvage Federal Wildlife Refuge. Captain Dares pointed out on the map the area that is owned by the First Savings Bank of Arkansas with whom he has corresponded. They do not want anyone on their land and they do not have any leases. Part of the land is developed with apartment complexes and residential areas. The area that is not developed has caused big problems in the past with complaints of people hunting illegally during closed season and night time. Another area pointed out by Captain Dares was an area that bordered Lake Pontchartrain, north of I-10, and is owned by the Nature Conservancy. The Nature Conservancy has corresponded with Captain Dares and they are in full support of what the department is proposing. The only remaining areas, pointed out Captain Dares, are basically developed industrial areas, residential areas, apartment complexes, etc. The firearm ordinance that was passed by Orleans Parish approximately 20 years ago not only prohibits discharge of firearms but also hunting bows, air rifles, etc. There has been some question in the past about whether the department has the authority to enforce the parish ordinance. The parish is now telling the department that they do have the authority but it is a discharge ordinance and the actual firing of a gun, etc. would have to be seen advised Captain Dares. This causes problems and the department feels like that if these areas are made "no hunting" areas it would be a lot easier to enforce plus giving the department a law that is in its own area. There would be no worry about any jurisdictional questions with the city. Captain Dares informed the Commission that he has talked to the Municipal Court where most of the wildlife cases are prosecuted and they do not have any problems if the regulation is passed. Councilman Johnny Jackson is the City Councilmen for the majority of this area and he plans on trying to expand the parish ordinance to make it a "no hunting" as well as a "no discharge" ordinance at

their September 16th Council meeting. Captain Dares stated that whether the City Council passes the "no hunting" ordinance or not the department would like to see the Commission adopt the emergency declaration so that it would be in effect when October 1st comes around and the bow hunting starts. The department will have something to use to keep the people out of that area at that time. The main concern is the fact that Bayou Sauvage now encloses most of the legitimate hunting areas in this part of Orleans and correspondence has been received from the U.S. Fish and Wildlife Service fully supporting this issue. From a safety point of view the department does not want to see somebody using the refuge or residents living around the area get hurt because somebody is illegally hunting or trespassing in the area concluded Captain Dares.

Mr. McInnis pointed out that the department has received letters from Mr. Robert Thomas, Executive Director, LA Nature and Science Center, Mr. Frank Wait, Vice President of the First Savings in Arkansas, and Mr. Howard E. Poitevint, U.S. Fish and Wildlife Service all in support of this. At this time Mr. McInnis presented a resolution and declaration of emergency.

Mr. Jenkins made a motion that the resolution and declaration of emergency be accepted on the enforcement of parish hunting ordinance and closure of hunting season for certain areas in Orleans parish. The motion was seconded by Mr. Vujnovich and passed unanimously.

Dr. Hines stated that he sees where First Savings of Arkansas is going to allow the trapping of alligators but prohibits the use of firearms and asked what is going to happen if a person catches a ten or twelve foot alligator?

Mr. McInnis stated that his impression is that they would use a regular hammer. One of his enforcement agent witnessed this and he has a video of it. Several people commented that they would like to see this video.

Chairman Pol asked if anyone in the audience would like to direct any questions on this item to Mr. McInnis.

Mr. Eddie Castelin asked what the effective date would be. Mr. McInnis advised that the effective date would be upon signature of the appropriate parties and publications which should be today or tomorrow. The regulation will be in effect prior to the season going into effect.

(The full text of the resolution  
is made a part of the record)

#### RESOLUTION

Louisiana Department of Wildlife and Fisheries  
Louisiana Wildlife and Fisheries Commission

WHEREAS, That portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-Jefferson Parish line, is included in city municipal ordinances that prohibit the discharge of all firearms; and

WHEREAS, The newly formed Bayou Sauvage National Wildlife Refuge lies within this section of Orleans Parish and will prohibit all hunting activities for resident and migratory game; and

WHEREAS, This area in and around the Bayou Sauvage National Wildlife Refuge will soon be a popular area used by citizens for fishing, camping, nature study and other outdoor recreational purposes; and

WHEREAS, The Refuge will provide an outdoor setting for enjoyment of family oriented activities particularly for children and older adults; and

WHEREAS, Existing small tracts of wooded land bordering the Refuge and city subdivisions will only provide an enforcement dilemma; and

WHEREAS, The U.S. Fish and Wildlife Service and the New Orleans Police Department support correcting this situation before someone is injured; and

WHEREAS, This area of Orleans Parish, in the judgment of the Department of Wildlife and Fisheries, is not a safe or proper environment for hunting activities to take place.

THEREFORE BE IT RESOLVED that that portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-Jefferson Parish line shall be closed to all shooting or

hunting by any means or device until further notice, effective September 7, 1990.

Warren Pol, Chairman

Virginia Van Sickle, Secretary

(The full text of the declaration of emergency is made a part of the record)

#### DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(b) of the Administrative Procedure Act, and under the authority of R.S. 56:6 and 115, the Wildlife and Fisheries Commission hereby finds that an imminent peril to public welfare exists and accordingly adopts the following emergency rule:

That portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-Jefferson Parish line shall be closed to all shooting or hunting, by any means or device until further notice, effective September 7, 1990.

The Commission finds that the above closure is necessary for reasons of public safety and recreation; and further due to the fact that this portion of Orleans Parish is included in city municipal ordinances that prohibit the discharge of all firearms, and said area adjacent to Bayou Sauvage National Wildlife Refuge wherein hunting activities are prohibited. The Commission further finds that this action is necessary to enhance enforcement of hunting restrictions in the general area.

Warren I. Pol  
Chairman

At Thursday's meeting Mr. Phil Bowman gave the August Shrimp Season Report. Mr. Bowman gave a brief status report on what has been observed by the department during the opening weeks of the fall

shrimp season and landing data this year in relation to shrimp. Preliminary statistics released by the National Marine Fisheries Service (NMFS) show that in Louisiana, for the month of July, there were 4.1 million pounds of shrimp landed, heads off weight. This is down somewhat from the previous years but May and June were exceptional months for brown shrimp production. Also the seasons were closed earlier this year and the department expected that the production for the month of July would be down advised Mr. Bowman. Most of the shrimp did come from the offshore areas as a result of the inshore areas being closed. The January through July 1990 total is 42.9 million pounds, heads off weight. This is the highest Louisiana has seen since 1986 when 46.3 million pounds were landed for the same time frame. Louisiana did have a good spring shrimp season.

Mr. Bowman proceeded to give a brief status report on the fall shrimp season. The season opened on August 20, 1990. Prior to the opening day information indicated that the white shrimp were showing a normal distribution pattern with heaviest concentrations in the areas of freshwater input, namely the Pearl River, Mississippi River, and the area influenced by the Atchafalaya River from western Terrebonne through Vermilion Bay. When the season opened on August 20th there was a reduced effort in the field, the same type of trend that was seen when the spring shrimp season was opened. Some of the district people reported that they had observed an effort perhaps 33 percent below what they have seen for the past years for the opening of the fall season. There were some areas where the boats were concentrated because of plentiful shrimp, particularly in the western Terrebonne area, Lake Mechant, Sister Lake and Vermilion Bay. Catch trends were the best that the department has seen for some time. When the season opened for the last couple of years there has only been one good day of shrimping but this year the first three days and in some areas four days were pretty good. One encouraging sign that has been seen is the second wave of recruitment that is currently in the marsh. They are relatively small but growing rapidly because the water temperatures with the hot weather are extremely high. The department expects these shrimp when they become available for the fishery in late September and early October to be a fairly good size. When the season was opened this year there were some pretty good sizes on the shrimp with the predominant sizes in the 21-25 to the 31-35 head on count. This is a little larger than has been seen in the past couple of years stated Mr. Bowman and this was really what a lot of the industry people wanted to see. Some areas had some larger shrimp in the 10-15, 16-20 head on size counts and there were some areas that had small shrimp in the 80-100 head on size count. The bulk of the shrimp on the opening two or three days of the season were in the 21-15 to 31-35 grouping.

One down note on the opening of the season which was experienced was a continuing erosion of the dockside prices. The prices are some of the lowest since 1986. In 1986 the 21-25 count head on

shrimp were bringing about \$2.50 a pound and this year they brought about \$1.80 a pound. This is a substantial decrease in price since 1986. Mr. Bowman informed Chairman Pol that the department will continue to keep the Commission appraised as the season progresses and asked for questions.

Chairman Pol asked why the price of the shrimp was continuing to drop. Mr. Bowman stated that there were a number of reasons for this. It runs from interest rates, to the amount of imported shrimp on the market, to the overall situation in the economy and the availability of the processors and dealers to move shrimp. Also the months of May and June were tremendous months for shrimp. All these factors go into the equation and it has caused the prices to continue to be depressed. This is a situation the department has seen and it has continued to worsen over the last couple of years particularly with the import situation stated Mr. Bowman.

Chairman Pol asked Mr. Foret what he has observed in his area on this situation. Mr. Foret stated that he thinks Mr. Bowman's information makes a lot of sense and as far as controlling the price of shrimp nobody controls the price of shrimp, supply and demand controls it. Chairman Pol asked if anyone had any question for Mr. Bowman.

Mr. Kevin Cambo, marina owner at Shell Beach, asked if something could be done on getting a weight on the shrimp brought from Louisiana to Mississippi. Sixty percent of the boats that shrimp in the area (Mississippi River, Gulf outlet passage) did not land the shrimp in Louisiana stated Mr. Cambo because they were paying anywhere from fifteen cents, to thirty five cents, to fifty cents a pound more in Mississippi. Mr. Cambo asked if there was anything that could be done about this.

Chairman Pol stated that he wished the Commission could help with prices but they could not.

At Thursday's meeting Dr. Jerry Clark presented an Update on the Spotted Seatrout Sampling Results. Dr. Clark advised that at the last Commission the data through May was reported and the Commission was informed at that time that the January through May time period was probably not the best time period to analyze to decide if spotted seatrout have been greatly affected by the freeze because in the types of gear that were being looked at and in the areas being sampled spotted seatrout were not prevalent. The June through September/October time period is much better for the department's gear and types of analysis that need to be done. Dr. Clark reiterated that the Commission, at the last meeting, instructed the department to obtain the information as fast and as early as they could. In response to that request the department is able to report the June through July data at this Commission meeting but has been unable to completely analyze the August data at this time. At this point during the meeting Dr. Clark advised



that Mr. Joey Shepard would make a presentation of analysis that was done on the data.

The presentation that Mr. Shepard presented was in two part. The first part was a look back at the 1983 freeze and information from the freeze that could possibly be related to conditions that we're seeing in 1990. In 1983 the Marine Finfish Section was not in existence and the only information that could be found was some recreational data from the National Marine Fisheries Marine Recreational Survey and also some limited information from a gill net experiment. There are a couple of interesting correlations between what was seen in 1983 and 1984 after the freeze and what is being seen now. One thing is the apparent shift of those fish moving into the system from June to July. Another thing that was learned is that in 1985 those fish seemed to come back in great abundance indicating to the department that in 1984 those fish were just not available to the fishery. Looking at the recreational landings and commercial landings for the whole time period there is a severe drop in the recreational fishery in 1984 after the 1983 freeze but actual landings went up a great deal the year after. Information indicates that those fish were just not available to the recreational fishery at that time. 1986 was a record year for the spotted seatrout. In 1983-84 a limited experimental gill net study was initiated from the Marine Lab to look at their effect on catching spotted seatrout.

The next group of slides that Mr. Shepard presented dealt with the department's current finfish monitoring program. Sixty six locations across the Louisiana coast were sampled each a month all year long. The whole program was designed just to look at this type of information and Mr. Shepard explained how salinity affects spotted seatrout and showed salinity (high, mid and low) comparisons during the affected years. Mr. Shepard stated that one of the statements that they have been hearing is that there are no big fish, all the big fish must have died, and all that is being caught is small fish. This does not appear to be the case. The abundance of big fish in the high salinity areas is not down, the abundance of small fish is higher and are more of them.

A graph of all the information, statewide, giving a picture of where the fishery stands this year compared to the average of previous years in relative abundance was shown and explained by Mr. Shepard. There is no apparent statistical difference between the relative abundance of fish in 1990 compared to the average of abundance of fish from 1986-1989.

Concluding the slide presentation Dr. Clark asked if the Commissioners had any questions. Mr. Jenkins asked about the chart that had the commercial and recreational landings from 1980-89 and asked if the years 1986-89 were declining years in landings. Mr. Shepard answered "yes". Mr. Jenkins asked if there was an explanation of why those years were in declines when a freeze was

not a problem? Mr. Shepard stated that in 1986 the commercial quotas started and recreational size limits started. In 1987 the bag limit was reduced from 50 to 25. Mr. Jenkins asked Mr. Shepard if what this chart is doing is just showing the landings and that it really does not have anything to do with the availability and abundance of the fish. Mr. Shepard stated that that was correct.

Mr. Vujnovich advised that they have an abundance of speckled trout in the Barataria Bay area, running from five inches to about eleven inches and asked how long does it take the fish to grow to fourteen /sixteen inches. Mr. Shepard answered that an eleven inch fish is approximately two years old, fifteen inch fish is approximately four years, so it will take about two years to get to fifteen inches.

Dr. Clark pointed out that one of the things that was brought up at the last meeting was that in the January to May figures it was shown that statewide the department was unable to detect a difference between what previous years were and what was going on this year. The Commissioners and others pointed out, at that meeting, that if this was true then the department's data was not any good because they are fishing and there are no spotted seatrout. The data showed today that both things can be true, stated Dr. Clark. The high salinity areas are carrying twice the number of fish this year, according to department samples, than they have carried in the previous three years including 1986 which was a record harvest year. The lowest salinity area is essentially carrying no fish. In the mid-salinity areas the department's catch and gear are down to about a third. A lot of fishermen fishing in a lot of their favorite places to fish this year are not catching any fish and the department's data reflects this stated Dr. Clark.

Dr. Clark advised that in the analysis comparing the data, coast wide, the department cannot detect any significant differences in most of the areas from the sampling this year versus previous years. When the department says there is no difference in previous years it is saying, on average, there is no difference but there are major difference about where those fish are commented Dr. Clark.

Mr. Jenkins asked how many test seines were being run every month. Dr. Clark answered sixty six different sites and there are twice as many fish in the nets on the beach. Mr. Jenkins commented that he has been on the beaches all summer and he does not know where all the fish are and he does not understand why there are twice as many fish in the nets and nobody is catching them even if you are fishing on the beach. Dr. Clark stated that there was another part of that data and that was almost all of the fish that were in addition to previous years averages were mostly small fish. There are not twice as many catchable fish out there advised Dr. Clark.

Mr. Jenkins asked how many test nets were in the high salinity areas? Mr. Shepard answered about ten stations in those areas. Chairman Pol stated that he has just given Dr. Clark about twenty five to thirty letters from people around the state that do not fish in one particular place. These are letters that Chairman Pol has received and everyone, except one, are suggesting that the season be closed to all fishing. Dr. Clark advised that the department does not have an ongoing creel survey so he does not know where people fish. If you look at the data that was just presented and if half of the people are fishing in areas that are considered low salinity or mid-salinity and their catch rates are not different from the department's gear catch rates then at least half the people who are fishing in Louisiana are mad because they are not catching fish because those fish are not in those areas to be caught. If the department knew more about where people are fishing then maybe some of the questions could be answered commented Dr. Clark. Mr. Jenkins asked why doesn't the department have a creel survey? Dr. Clark explained that the Office of Fisheries started in 1986 with a Marine Finfish Division that is completely funded with monies that were collected from the legislation that created the saltwater stamp. Right now the funds are running just over a million dollars. The Marine Finfish Section (twenty plus people hired in the section) is currently spending at or just above the amount of money that is being collected from the saltwater stamp. A decision had to be made on what the group of people should be doing and the decision that was made was to start the program which resulted in the data which the Commissioners saw today (statewide with a set of resource monitoring, gill nets, trammel nets and bag seines). When this program was put together somebody had to make the decision on how to spend the money and they chose to spend the money doing research monitoring rather than doing a creel survey. If there was more money Dr. Clark stated that he would start a creel survey but with the money available right now the department has a program ongoing and even this program is not statewide. There is no program in Lake Pontchartrain or Lake Borgne for instance. Dr. Clark stated that he is defending the decision of spending the money in the way in which it was spent and it is spent. A creel program is a fairly expensive program advised Dr. Clark. Mr. Jenkins asked if Wallop-Breaux dollars could be used for a creel program? Dr. Clark stated that they could. Secretary Van Sickle advised that they can only be used every once in a while, they cannot be used for ongoing yearly efforts which is against the rules. There was a one year creel survey in 1984. Chairman Pol asked about the salinity problem from a biological standpoint and why, since there has not been a lot of rain. Dr. Clark answered that we may not have had a lot of rain but other places had a lot of rain. The Mississippi River in either May or June was at a all time record high on all the gauges measured in New Orleans. Dr. Clark was out on the oyster seed grounds with Captain Vujnovich about a month ago and the water hyacinths were floating by and they were as green as you can imagine. You will not find many spotted seatrout in that kind

of water this time of year stated Dr. Clark. Chairman Pol asked about the Atchafalaya. Dr. Clark commented that by law the Atchafalaya takes thirty percent of the flow so whatever is going on in the Mississippi is going on in the Atchafalaya. Secretary Van Sickle pointed to the oyster loss as a result of the low salinities. Mr. Jenkins asked when the salinity would get better. Mr. Vujnovich stated that maybe he could answer this. If there is a small hurricane with about fifty to sixty miles an hour wind this would correct the salinity. This is what is needed to clean out the estuaries. Mr. Vujnovich commented that he believes that water pollution contributed greatly to the fish kill during the freeze in Louisiana. Around 1962 Louisiana had one of the biggest freezes the state has ever had but there was not too much damage done to the fish pointed out Mr. Vujnovich.

Chairman Pol asked that with the salinity problem, pressure from the sports fishermen, the netters, etc. is the spotted seatrout in trouble. Dr. Clark stated that he would give the same answer that he gave at the last Commission meeting and that is the data that was presented today shows that Louisiana is carrying almost no spotted seatrout in low salinity area, carrying only about a third of spotted seatrout in the mid-salinity areas and carrying twice in the high salinity area. Dr. Clark advised that he does not know to what extent the department is monitoring all the high salinity areas nor does he know to what extent they are as a proportion of the total habitat. The department is looking into this and has got some preliminary work that is being reviewed now but if all the spotted seatrout that are being measured in the high salinity areas are all bunched up on the beach then Louisiana probably has a problem but people catch spotted seatrout out twenty miles. If the department's resource monitoring data indicates that twice as many fish are being carried in the high salinity areas and it goes out twenty mile then the state is probably in good shape. Dr. Clark stated that the department's analysis just like any other scientific endeavor there is uncertainty. Dr. Clark advised that if the department had regulatory authority to make some changes in minimum size limits or bag limits and commercial quotas, he would be before the Commission recommending that this be done because of the lack of fish in those areas that the department demonstrates fish are missing. The only tool that is at the disposal of the department and Commission is to close the fishery and Dr. Clark advised that he cannot recommend this. Mr. Jenkins asked Dr. Clark what kind of evidence would the department need to say that there is a severe problem. Dr. Clark stated that he would be concerned if the high salinity areas were showing the same problems as all the other areas because then everywhere you looked you would not see any spotted seatrout. Mr. Vujnovich advised that in Barataria Bay the salinities are improving. Mr. Vujnovich's son takes the salinity reading when going across the bay. Last week the readings were in the twenties. Also thirty two beautiful speckled trout were caught last Saturday around Bilou Island.

Chairman Pol asked Mr. Mark Hilzim with the GCCA if he would like to speak. Mr. Hilzim stated that obviously this whole decision process is being based on one type of information and in a lot of ways is frustrating the Commission, the department and others. Obviously whether or not there is the money, or how to spend the money on doing some other things is probably an issue that a lot of time could be spent on. The National Marine Fisheries Service does a statistical survey every year and aside from producing the information in a one-year total type of format they produce WAVES. It is Mr. Hilzim's understanding that these WAVES are two month WAVES. The normal distribution of these WAVES would be basically one-year after the WAVE occurred. Sometimes these WAVES are used to close a season, for example determining when the mackerel quota has been met. Mr. Hilzim asked if there was a chance, right now, that some very severe pressure could be put on the federal government to see if Louisiana could not get the WAVES from the last several months and compare those to the average WAVES of the last five or six years and start trying to calibrate. It seemed to Mr. Hilzim that the piece that is missing is what is happening offshore and he thought the people who fish offshore are going to tell you that there are no fish there. Dr. Clark stated he had a two-part answer for Mr. Hilzim. The National Marine Fisheries Service Marine Recreational Survey is a statistically valid survey only for the region. In other words when the NMFS closes the mackerel fishery they do it for the Gulf, Eastern or Western region and even when they are doing it for the Eastern and Western region they are stretching the data, and they know this, but they do it because it is the only data that they have available. If someone tried to take the WAVE data from the NMFS for Louisiana only, they would be well outside the boundaries of the statistical basis of that data advised Dr. Clark. Dr. Clark informed Mr. Hilzim that he in previous time periods had tried to hurry up the NMFS data and had been unable to do this. Dr. Clark stated that he would pursue the WAVES data but does not hold out much hope to get timely data, meaning anything within six months.

Mr. Hilzim asked Dr. Clark when the department expected salinity levels to improve and also does the department have any kind of a feel for when the fish would move in and take advantage of the salinity situation? Dr. Clark answered that the department does have some of the August data but as far as predicting salinity levels coming back to normal he is not sure he wants to try it. The levels are improving pointed out Dr. Clark. The only data that the department has on the recreational data for 1983, 1984 and 1985 are the slides, by month, and could be used to try and determine when the fish would move back in after salinity levels improve. Dr. Clark stated that if he remembers right the catches did not return to normal until the following spring, perhaps.

Mr. Hilzim asked what has the department done to correlate shrimp seasons and trout landings? One of the things that he has heard from a lot of people is that there is so much bait out in the water

that it may be affecting the feeding. Also has the department looked at where the shrimp are and where they have not been since they follow salinity to some extent, and make some sense with test data to see if there is some correlation that the department can work with. Dr. Clark answered no to these questions and stated that he does not believe that there is any indication that the distribution of shrimp this year is any different than in previous years. The department does not have any means to detect where shrimp are, especially after the season opens, except by the reports the department receives from the NMFS on where the landings were. One of the things that Dr. Clark remembers from this year's landing data was that the farther offshore you go you are going to get less shrimp landed as a percentage this year than in previous years. If there is a distribution of shrimp that is different this year is that they seem to be inshore commented Dr. Clark.

Chairman Pol stated that this Commission is not saying they want to close the season, or should close the season. This Commission fully realizes that if they are going to even consider closing the season it would be catastrophic to a lot of people, not only to the netters but to the marina operators, boat people, fishermen, and department. If the situation does not improve the department will not have as many fishing licenses sold, thus affecting the department's income to operate and give the people the service that they should get.

Secretary Van Sickle stated that Representative Garrity is in the audience and she is sure that he has gathered from the discussion that there is a problem. The problem is that the legislature does not meet frequently enough to manage fish. The legislature has given the Commission the authority to adjust creel limits, quotas, bag limits on everything except for speckled trout and redfish. The Commission has shown that they are willing to take action and if in two months the high salinity area plummets and rather than doing what Texas did which was go from a fourteen inch fish to a fifteen inch fish all the department has is to shut down everyone. This coming year, speckled trout and red fish will be up for review by in the legislature and Secretary Van Sickle said that she hopes that they will consider all of this and give the Commission and department the authority to adjust bag limits, etc. based upon the resource needs. Secretary Van Sickle asked Mr. Garrity if he would like to address the Commission.

Mr. Garrity thanked Secretary Van Sickle and hoped she has relayed to the Commission that he has been a faithful supporter of the department's legislation. Mr. Garrity stated that Secretary Van Sickle is right, the legislature has not relinquished control of redfish and speckled trout and in his personal opinion the reason has been that they are afraid of the Commission. Mr. Garrity has supported giving the Commission management authority. Mr. Garrity stated that what the legislature is afraid of is some of the things that he has heard at this meeting. Mr. Garrity is not casting

stones because he does not personally know any members of the Commission and does not know where they stand. You have Dr. Clark saying that overall in his opinion that Louisiana does not have a problem with spotted seatrout and there is a discussion about closing the season commented Mr. Garrity. What is obvious to Mr. Garrity and what is obvious with his discussions with the fishermen on the East Bank is that what they have been telling him for three months is exactly what Dr. Clark has said. The fish are coming back in on the east side of the river right now stated Mr. Garrity and you do not have to go as far out today as you had to go out last week to catch the fish. In another month they are going to be in the marsh and the net operations of the department that are showing no fish being caught in low salinity areas will start showing fish, the mid-salinity areas are going to start showing more fish because the fish are coming in as the river is down and the freshwater is draining out. The legislature is afraid that the Commission is going to try and shut something down as punishment for somebody else or do something for some reason other than what is best for the resources. Mr. Garrity advised that he has never personally taken this position and in fact he has taken exactly the opposite position and unfortunately as in a lot of things in state government he has been in the minority. Mr. Garrity stated that he thinks the evidence is clear today and extended an open invitation to any member of the Commission to come fishing in Delacroix where they can catch their limit of fish in forty five minutes. Concluding, Mr. Garrity stated that the fish are there but only further out and will not be back in the numbers that are expected until later on in the fall. What the department has shown is what common sense tells us and that is spotted seatrout stay in high salinity water and when the high salinity water is further offshore that is where the fish are going to be. There are fishermen attending the meeting today with Mr. Garrity that are catching fish every day and they asked Mr. Garrity to speak on there behalf.

Chairman Pol asked if there were any other questions from the audience.

Mr. Pete Savoy representing the St. Bernard Sportsmen's League addressed the Commission. Mr. Savoy stated that doesn't the Commission think that common sense will kind of solve the problem. If the fishermen go out and make three or four trips and they do not catch any fish they are going to stop fishing on their own. If the word gets out that the fish are here then they are going to start fishing. If it is said that the season will be closed and the fish do show up the Commission will get all kinds of criticism.

Chairman Pol pointed out that the Commission is not saying that they are going to close the season and have never said this.

Mr. Savoy commented that one thing to think about would be if at any time in the future the Commission decides to close the season

why not close it during the spring time when the fish are full of eggs. Another thing to think about is that since there is a limit on speckled trout and many people are getting undersized fish and throwing it back then they have to catch seventy five fish to take home twenty five fish. Wouldn't it be better to let the people catch smaller fish and whatever they catch keep. This way they would go home with a smaller fish but the bigger fish would be there to reproduce. Mr. Savoy believes that a lot of this could be ruled with just good common sense.

Ms. Jane Black, Organization of Louisiana Fishermen, Lafourche Parish, addressed the Commission. Ms. Black stated that in a effort to give just a little bit more data, although the commercial trout season is just a few days old, the commercial fishermen in their area which seems to have been identified as a high salinity area in this meeting by the department, are making profitable commercial fishing trout trips. They are having, what they tell Ms. Black, is an average year. Ms. Black stated that she does know to what extent the fish are on the beach.

Mr. Kenneth Campo, owner of Frank Campo's Marina, Shell Beach, and representing Shell Beach, Oakdale and Yscloskey addressed the Commission. Mr. Campo stated that in the last six weeks the fish in their area seem to be coming back. The freeze was devastating to their area, it killed about one hundred percent of the fish in the marsh and about ninety percent in Breton Sound from what was seen and caught by the fishermen after the freeze. The freeze in 1963 was not quite as bad as the one in 1989 but it was devastating on the marsh. There were no regulations in 1963 on the fish, the fish picked up and every year after the freeze the fish increased commented Mr. Campo. There was another freeze in 1983 which was also devastating on the fish in the marsh and again there were no regulations. 1989 was probably the biggest year for speckled trout in their area for large trout advised Mr. Campo. These trout ran anywhere from two and half pounds up to five pounds; 1988-89 was probably the best two years for fishing in this area. The data for these years are going to show that less fish were brought in because of the quotas stated Mr. Campo. In the last six weeks Mr. Campo advised that the worst fishing trip they have had was fifty five trout with four persons fishing but in the last two weeks the limit of a hundred speckled trout was made each time by 10:30 in the morning. This was in the ship channel around the jetties on the Mississippi River Gulf Outlet. In Lake Borgne Mr. Campo cannot say they are catching any fish other than the Shell Beach area along the south shore of the lake. Simple reason being is that people have not been able to get out to the east shoreline or the west shoreline because of the weather. Mr. Campo stated that the people who are talking about not catching any fish in their whole area may be true and when they move into a new area to fish they are still not catching any fish because they are not use to fishing that area. Each area has got to be fished differently and people are not going to catch fish until somebody shows them, tells them



what they are doing wrong, or they stumble across what they are doing wrong. Mr. Campo asked if there was evidence to close different areas would everything be closed at once or would one area be closed and others left open.

Chairman Pol stated again that the Commission is not proposing to close the season and are hoping that the fish will be there so that everybody can enjoy a plentiful harvest.

Mr. Campo stated that he understands that the Commission does not want the season closed but apparently somebody wants it closed somewhere.

Chairman Pol commented that to answer Mr. Campo's question and move on with the meeting that under any conditions he does not think that this group of people would ever propose to close one area and not the other.

Mr. Jack Newman addressed the Commission. Mr. Newman commented that ten percent of the fishermen catch ninety percent of the fish and if you talk to the ten percent that catch fish you will have a different story.

Chairman Pol stated to Dr. Clark that the next meeting, which will be in October, will give him plenty of time to give the Commission all the information they will need and then they can move on from there. Dr. Clark advised that hopefully they will have two more months of data by then.

At Thursday's meeting Dr. Clark presented the **Notice of Intent on Daily Bag and Possession Limit for Freshwater Trout**. Dr. Clark reported that what they have before the Commission is a notice of intent to institute a bag limit on a species of fish that does not occur in Louisiana waters. At the last legislative session the department begin the process in instituting a program of urban fisheries for the State of Louisiana. The step that was taken was that the department got the legislature to pass a piece of legislation that allowed the department to sell a stamp for freshwater trout. It is the department's intent to put freshwater trout in urban areas throughout the state, perhaps in some state parks, maybe even in swimming pools to provide a fishing opportunity during winter months for people who do not otherwise have a chance to fish. A bag limit will be needed on these fish and the department is recommending that a five fish bag limit be implemented. The bag limit will be only for those areas in which the program is being carried out and if by any chance some of the freshwater trout escape an area there will be no bag limit on them.

A motion was made by Dr. Hines and seconded by Mr. Jenkins to adopt the notice of intent for the daily take and possession limits for freshwater trout. The motion passed unanimously.

(The full text of the notice of intent is made a part of the record)

NOTICE OF INTENT

DEPARTMENT OF WILDLIFE AND FISHERIES  
WILDLIFE AND FISHERIES COMMISSION

TITLE 76  
WILDLIFE AND FISHERIES

PART VII. FISH AND OTHER AQUATIC LIFE

CHAPTER 1. FRESHWATER SPORT AND COMMERCIAL FISHING

SECTION 147. DAILY TAKE AND POSSESSION LIMITS FOR FRESHWATER TROUT

The Louisiana Wildlife and Fisheries Commission hereby advertises its intent to establish a daily take and possession limit of 5 fish for freshwater trout, Salvelinus spp. and Salmo spp., taken in waters designated as being part of the Department's Freshwater Trout Program.

Interested persons may submit written comments on the proposed rule to the following address before October 19, 1990: Bennie J. Fontenot, Jr., Administrator, Inland Fish Division, Louisiana Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, LA 70898-9000.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6, 56:326.3, and Act No. 376 of 1990 Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16: ( ).

At Thursday's meeting Dr. Charles Wilson gave an Update on the Inshore Artificial Reef Program. Dr. Wilson reported that this program was started about a year ago and at the Commission's request implementation was pursued for six artificial reefs using shell owed to the department by shell dredging companies for mitigation. The inshore program and the logistics in accomplishing the inshore program are much more difficult than the offshore program which has been under way for four years. Two federal permits had to be applied for and were submitted for in January of 1990. This deals with the Corps of Engineers District in Galveston, Texas which covers Sabine Lake and Jones Bayou and the New Orleans District which covers the rest of coastal Louisiana. The Galveston District issued the department a permit for the waters of Sabine Lake and Jones Bayou and the New Orleans District is awaiting a DEQ water quality certification. The permit is

currently under review by the Department of Environmental Quality and should take another month advised Dr. Wilson. A general permit has been sorted through both districts to allow artificial reefs to be created in coastal waters using shell or other materials of opportunity with certain depth and size restrictions. The other part of the permit application involves application to the Department of Natural Resources to get a Coastal Use Permit. This allows for an area to be filled in. There is a fee of \$4.00 per cubic yard up to a maximum of two thousand dollars which has been paid and the permit received. This was paid from the Artificial Reef Trust Fund which was generated from the offshore program. Dr. Wilson pointed out that the state does not receive any money for this program and the inshore reef construction must come from money generated from the offshore program. As far as material goes, which is another issue that is holding up development of these inshore reefs once a permit is received, representative of the department have met with the Department of Natural Resources five times to follow up with the request for shell owed to the department and Secretary Van Sickle has written several letters to get this mitigation shell for the department. The most recent meeting was held in July and as a result of that meeting Mr. Gomez, DRN, wrote a letter to all shell dredgers requesting a formalized compliance plan. Ms. Baker has received a letter from Dravo Company saying they agree they owe shell but the issue still is how much do they owe to the department. In terms of obstacles blocking the inshore program there is still another month or so to go in getting the inshore permit from the Corps of Engineers and waiting for shell from shell dredgers. There is a problem with sighting artificial reefs because of not knowing the amount of shell that is going to be made available to the program, not knowing the exact method of delivery of the shell to the program and dealing with waters of varying depths along with vessels that shell dredgers may provide to deposit the shell which may have depth restrictions. Another issue depends on what the department's priorities are for the shell. Queen Bess Island comes first, which is restoring the pelican habitat and if only enough shell is received to do Queen Bess Island then you cannot do any artificial reefs commented Dr. Wilson. It is very difficult to plan an implementation program at this time and we are just waiting to find out how much shell is to be received concluded Dr. Wilson.

Mr. Jenkins advised that he had this item put on the agenda because it has been going on for about a year and a half. This shell should have been collected way before now and this program should have been over with and there has not been one thing done commented Mr. Jenkins. Mr. Jenkins asked if there was anything that could be done to get this program going. Secretary Van Sickle stated that a lot of comments were received for information purposes. There was an outcry from the conservation community about using clam shell from shell dredging operations to enhance recreational fishing. Mr. Ed Lennox advised Secretary Van Sickle that just recently Mr. Ron Gomez from DNR wrote them a letter telling them

that they had to provide the shell and basically telling them where to deposit it and Mr. Lennox wanted to know if the list came from the department. Secretary Van Sickle stated that she has not seen the letter from DNR to the shell dredgers but the demand has been made on the shell dredgers to provide the mitigation shell. No one seems to have a problem with using shell from the dredging operation to rebuild Queen Bess Island commented Secretary Van Sickle. Mr. Jenkins stated that he has read the negative comments on using shell and he wrote a letter back to the department on all of the comments which were bogus comments. Dr. Wilson advised that the process is now with DEQ. Mr. Jenkins suggested that DEQ be invited to the next Commission meeting and give a report. Dr. Wilson stated that it may be resolved by then but if not they could attend. Mr. Jenkins formally requested to Secretary Van Sickle that if the permit issue is not resolved by the time of the next Commission meeting that the appropriate people from DEQ be invited to the meeting to answer questions.

Chairman Pol asked if the shell that DEQ is demanding is the shell that is due the department from shell that is already dredged and has nothing to do with shell that will be or won't be dredged. Mr. Don Puckett answered "yes" and advised that there will be an accruing obligation based upon future shell that is dredged but there is already an obligation on shell that is already dredged. Secretary Van Sickle asked if this shell is stockpiled or would they have to go out there and gather the shell. Ms. Baker advised that there had been a meeting to discuss alternatives that could take the place of shell if it was not available and everyone concurred that limestone was an acceptable substitute as an alternative mineral. The stockpile of shell is very, very low stated Ms. Baker and everything that is taken out of Pontchartrain is committed. If the department were to run up on shell it would have to be taken from the central coast area and would be oyster shell. Chairman Pol asked if the reefs could be built with a different product other than shell. Dr. Wilson stated "limestone" for sure. Secretary Van Sickle stated that in the offshore reef program the big profile old rigs can be used but they cannot be used inshore. There is almost one and a half million dollars in the bank that will pay for the program and the people to manage it; in perpetuity is what is planned, and within a year there will be another million dollars which can be used for fisheries research and other things the Commission and the department can look to in the future that could grow out of this program.

Mr. Jenkins stated to let's make sure to get DEQ to the next meeting. Secretary Van Sickle commented that she thought that DNR should also attend the meeting as they are negotiating the shell mitigation. DEQ does the permit. Secretary Van Sickle asked Ms. Baker to remind her of this as this needs to be done very quickly.

At this point in the meeting Secretary Van Sickle recognized the Director from California, Pete Bontadelli who was in New Orleans

to join all the other state directors for the International conference.

At Thursday's meeting Colonel Winton Vidrine gave the **Monthly Enforcement Report**. Colonel Vidrine reported the following cases for the month of August.

Region I - Minden - 106 cases  
Region II - Monroe - 83 cases  
Region III - Alexandria - 100 cases  
Region IV - Ferriday - 48 cases  
Region V - Lake Charles - 269 cases  
Region VI - Opelousas - 309 cases  
Region VII - Baton Rouge - 288 cases  
Region VIII - New Orleans - 420 cases  
Region IX - Gray - 521 cases

A lot of these cases were shrimping in close season stated Colonel Vidrine.

The two offshore boats had a total of 182 citations issued and out of these 130 were for trawling in closed season. There were about 50 boats confiscated with 95 trawls seized, 34,000 pounds of shrimp were seized and sold for \$71,500. This money was put into escrow and as soon as the cases are disposed of it will be transferred into the Conservation Fund. There is a grand total of \$116,000 being held in escrow from confiscated shrimp that was sold.

The pilot in New Iberia issued 47 citations which included 35 oyster citations and 12 shrimp citations and the Oyster Strike Force issued 33 citations.

The total number of citations issued for the month of August was 2,646 which is probably the highest number of citations ever issued for this particular month stated Colonel Vidrine.

Colonel Vidrine advised that he had put together a report for the dove hunting cases that were made statewide this past weekend. This was made in cooperation with the state agents and the U.S. Fish and Wildlife Service agents. A total of 243 citations were issued and of these 243 citations there was 190 issued for hunting doves on baited areas.

For a point of information Colonel Vidrine advise that in the last two months fifteen new agents have been hired and these agents will start going to the State Police Academy on September 17 for a period of about ten weeks.

Chairman Pol asked what was being done with the big boat down on the Atchafalaya Delta area. Colonel Vidrine advised that it is still there and was utilized during the past shrimp season by agents from the Fur and Refuge Division and Enforcement Division.

Colonel Vidrine stated that his people in that area felt that instead of taking the Atchafalaya Delta (crew boat) and assigning it to the Enforcement Division they would prefer having the twenty-five foot Boston Whaler, which they have in possession and are now using.

Chairman Pol asked if there was anyone who would like to ask Colonel Vidrine any questions.

Mr. Eddie Castelin addressed the Commission and stated that it does not take a rocket scientist to play with these numbers. There were 2,646 citations statewide with 951 being made in Regions VIII and IX. This is southeast Louisiana quadrant where the outlaws live. Has the Commission and department ever taken a look at the manpower in Regions VIII and IX. The manpower down there is critical in the southeast region of Louisiana stated Mr. Castelin and the department had better move some agents and equipment down there. Captain Dares is doing a good job but his legs are tied and he needs help. Mr. Castelin asked that something be done quick about this situation.

Mr. Jenkins commented that the majority of the Commission recognizes this problem. At the Lafayette meeting two and half years ago there was a unanimously resolution which passed the Commission which basically said that the department was to reallocate its resources, its manpower, its money and whatever it had on the bases of where the crimes were being committed. This is what the Commission said is suppose to be done and this might be an appropriate time to ask Colonel Vidrine where the department is with this. Colonel Vidrine advised that with the fifteen agents that are being hired there are at least twelve situated in coastal parishes. Chairman Pol asked about the transferring of agents from north Louisiana during slow times to high crime areas. Colonel Vidrine stated that they were used this past season in the months of June, July and August and most positions are being put in the coastal areas. It is hard to get enough people to apply for these jobs in this area of the state. Colonel Vidrine pointed out that he has interviewed the same twelve people who are on about eight different lists and some of the applicants are problems and he was not going to hire a problem child. As far as equipment, the division has the best equipment it has ever had since Colonel Vidrine came to work for the department twenty one years ago. Also the department has better trained agents now than they have had in twenty one years. Secretary Van Sickle pointed out that when Region VIII was split into two regions this was one of the department's attempts to split up the workload so there would be two regions to allocate more resources into the area. The department still has not done enough stated Secretary Van Sickle and agrees with Mr. Castelin.

Colonel Vidrine stated that just for a point of information that the Class 1 Violation monies that will be generated will be

committed to hiring eighteen new agents statewide at two per region and will give the area four new agents. There is a big turnover in the coastal parishes commented Colonel Vidrine.

Chairman Pol called for a motion to adjourn the Thursday, September 6, 1990, Commission meeting and reconvene at 9:00 a.m. on Friday, September 7, 1990. Mr. Jenkins made a motion for adjournment. The motion was seconded by Dr. Hines and passed unanimously.

Chairman Pol called the Friday, September 7, 1990, Commission meeting to order.

At Friday's meeting the **Ratification of Public Oyster Seed Grounds - Vermilion, East and West Cote Blanche and Atchafalaya Bays** was brought before the Commission. After a short discussion a motion was made by Mr. Vujnovich to ratify the rule. The motion was seconded by Mr. Jenkins and passed unanimously.

(The full text of the rule is made  
a part of the record)

RULE  
DEPARTMENT OF WILDLIFE AND FISHERIES  
WILDLIFE AND FISHERIES COMMISSION

TITLE 76  
WILDLIFE AND FISHERIES

PART VII. FISH AND OTHER AQUATIC LIFE

CHAPTER 5. Oysters

SECTION 107. Public Oyster Seed Grounds - Vermilion, East and West Cote Blanche and Atchafalaya Bays.

The Vermilion, East and West Cote Blanche, and Atchafalaya Bays Public Oyster Seed Ground is described as that portion of state waterbottoms beginning at a point of land on the southwest side of Southwest Pass, (y-335554.00) (x-1,774,683.00), thence S 31 54 44 E 4300.4 feet to Lighthouse Point on the southeast side of Southwest Pass and the most westerly point of Marsh Island (y-331,903.69) (x-1,776,956.24), thence along the south shoreline of Marsh Island to the point known as South Point (y-298,750.40) (x-1,863,189.50) thence S 74 10 18 E 5278.6 feet to a platform (y-284,352.82) (x-1,913,973.65) thence S 68 18 41 E 75,154.9 feet to Eugene Island (y-256,578.31) (x-1,983,808.02) thence S 35 17 41 E 17,453.6 feet to Point Au Fer (y-242,332.84) (x-1,993,892.44) thence along the southeastern shoreline of Atchafalaya Bay to South Point (y-257,413.00) (x-2,031,117.00) thence N 29 36 41 E 7455.7 feet to the north bank of Four League Pass (y-263,895.00) (x-2,034,801.00) thence along the eastern shoreline of Atchafalaya Bay to the east bank of the Atchafalaya River (y-294,175.00) (x-2,020,925.00) thence N 80 57 36 W 6001.5 feet to the west bank of

the Atchafalaya River (y-295,118.00) (x-2,014,998.00) thence along the north shoreline of Atchafalaya Bay to Bell Isle Point (y-312,510.00) (x-1,969,990.00) thence following the shoreline of New Pass to a point on the west bank of New Pass (y-318,375.00) (x-1,967,345.00) thence westerly along the North shoreline of Atchafalaya Bay to Point Chevreuil (y-309,951.00) (x-1,930,415.00) thence northerly along the shoreline of East Cote Blanche Bay to Point Marone (y-352,112.00) (x-1,898,410.00) thence northerly along the east shoreline of West Cote Blanche Bay to the East side of the Jaws (y-389,415.00) (x-1,909,020.00) thence N 64 01 41 W 4407.1 feet to the west side of the Jaws (y-391,345.00) (x-1,905,058.00) thence westerly along the north shoreline of West Cote Blanche Bay to Cypremort Point (y-380,726.00) (x-1,826,461.00) thence northerly along the east shoreline of Vermilion Bay to Little Mud Point (y-412,498.00) (x-1,836,480.00) thence in a southerly direction along the shoreline of Weeks Bay to the east bank of Shark Bayou (y-403,692.00) (x-1,840,583.00) thence northerly along the west shore of Weeks Bay to a point at the Mouth of Bayou Carlin (y-422,780.00) (x-1,841,195.00) thence westerly along the north shoreline of Vermilion Bay to Mud Point (y-382,749.00) (x-1,741,026.00) thence continue along the shoreline to a point at the southeast corner of Little White Lake (y-395,495.00) (x-1,738,384.00) thence along the shoreline of Little White Lake to Buck Point (y-391,673.00) (x-1,736,065.00) thence continue along the shoreline to Redfish Point (y-375,420.00) (x-1,786,260.00) thence southerly along the west shoreline to Vermilion Bay to a point at the mouth of Hog Bayou (y-346,604.00) (x-1,752,950.00) thence along the shoreline of Hell Hole to a point at the northeast corner of Hell Hole (y-347,496.00) (x-1,755,604.00) thence easterly along the shoreline of Vermilion Bay to Indian Point (y-352,201.00) (x-1,777,875.00) thence southerly along the shoreline of Vermilion Bay and Southwest Pass to the Gulf and the point of beginning.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:434.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16: (September, 1990).

At Friday's meeting Ms. Bettsie Baker reported on the Surplus and Sale-New Orleans Property.

Ms. Baker advised that there were two items that she needed to inform the Commissioners about. At last month's meeting the Commissioners were informed about the sale of the parking garage. The department was not able to sale the property on Chartres Street because of asbestos problems so Ms. Baker has been working with asbestos demolition people to get estimates on what this was going to cost. Rather than just coming up with estimates so that the department will have a better price out of this piece of property, Ms. Baker has requested that the state conduct asbestos demolition activities on the piece of property. There is a state pool that is used for asbestos demolition in state buildings and the New



Orleans building does qualify for it. The department will proceed with this and then offer the Chartres Street property up for sale as soon as possible once the process is initiated. The department is looking at about four to six weeks to have the asbestos removed and then can concurrently start re-advertising the property. The sale will probably be a sealed bid sale advised Ms. Baker.

The second items brought before the Commissioners by Ms. Baker was the sale of 400 Royal Street property. There has been several requests out of the Governor's Office and the Commissioner's Office for the department to go ahead and dispose of the 400 Royal Street property. The department, according to Act 887 of the 1987 legislature, has the authority to declare any piece of property as unnecessary and through a strict process that can be followed to surplus the property. The department can go through the State Land Office, declare the property surplus and transfer it over to the Division of Administration. At that point in time the Division of Administration can do whatever they wish. As everyone knows they would like to transfer this property over to the Supreme Court and they would like to do it as quickly as possible. Ms. Baker requested permission from the Louisiana Wildlife and Fisheries Commission, since the building is formally in their name, to go through the Surplus Property process. The Supreme Court has some timetables that they are interested in doing with making some declarations regarding the property. Ms. Baker did request that the employees not be evicted from the building if it is declared surplus and is working with diligence at finding new housing location for the office in New Orleans.

Chairman Pol advised that he knows the Commission, according to Mr. Puckett, Legal Counsel, has to sign the sale but knowing politics and being associated with it so long Chairman Pol personally would not like to start the Surplus Property process until the department has the money (twenty million) for the building. Ms. Baker stated that she had received a letter from Mr. Dennis Stine. Chairman Pol commented that Secretary Van Sickle had informed him of the letter and it states the monies that the department is going to get, but talking about the third quarter. The state is still in the first quarter and will be out of it at the end of the month advised Ms. Baker. Chairman Pol pointed out that the department has six more months to wait before the money is even transferred. If there could be a definite commitment that the money will go to the department this would do but there have been promises before and they never came about commented Chairman Pol. Chairman Pol stated that he was not speaking for the Commission but just for himself but wants what is best for everyone. Ms. Baker advised that she understood Chairman Pol's problem. Mr. Jenkins asked Ms. Baker to explain the bond process and what does the state actually have to do with it. Ms. Baker explained that it falls into two different steps. The first step is the budget process where you have your legal appropriation that comes forward through the legislature and this has been done. There is eighteen million

dollars for land acquisition and six million dollars for the fish hatchery in the proper budget accounts. The next step is that the state actually has to go through the process of offering bonds for sale. There has not been a bond issue in two and half years and this will be the first one that is coming forward from the state perspective. Ms. Baker thinks the bonds will be very well received and she has talked with Mr. Stine about this particular issue and he did not anticipate any problems. Mr. Jenkins asked when this would be done. Ms. Baker stated that she understands there will be a offering coming up in late September, early October. Mr. Jenkins advised that he kind of believes like Chairman Pol and thinks it would be a good idea to have some kind of additional insurance that this is all going to take place and wait to see what happens with the bonds. Secretary Van Sickle stated that there was a lot of trust that went into this whole business of giving the department twenty something million dollars through the commitment of Mr. Stine and basically what is being said is that his word is not good enough. Trust is what you are talking about here commented Secretary Van Sickle. Dr. Hines recommended that the item be put on the agenda for October and then maybe between the department's legal staff and the Governor's office a legal commitment could be obtained that the department would get the money upon which time they would turn the building over to Surplus Property. Secretary Van Sickle advised that all they can give the department is a legal appropriation and we have that. Chairman Pol asked Mr. Puckett what he thought. Mr. Puckett stated that he cannot think of another mechanism that the department could use. Chairman Pol asked what was the schedule on selling the bonds. Ms. Baker stated that she believed the new issuance will be in thirty days but will talk with Mr. Stine and get further information on this. Chairman Pol stated that the Commission is not mistrusting Mr. Stine or anybody else even though the legislature does not trust the Commission. Chairman Pol commented that he agrees with Dr. Hines recommendation. After further discussion on this issue Dr. Hines asked if it would be possible for a resolution to be drawn up and passed transferring the building to Surplus Property providing the department receives x number of dollars for land acquisition, etc. and specifying a time frame in the resolution. Dr. Hines believes that there is some legal mechanism that the Commission can assure that the funds are obtained that have been promised in exchange for declaring the building surplus. After a short discussion on the time frame and how long it would take to purchase new property Secretary Van Sickle pointed out that the legislature has appropriated money to renovate the building and it has to be spent this year. The department cannot give them the building and then take it back commented Secretary Van Sickle. Dr. Hines asked that the department research the issues on the building between now and the October meeting. Chairman Pol asked if it was agreeable with the Commission that this be placed on the agenda for action for the October meeting. The Commissioners concurred with Chairman Pol that this item be placed on the agenda for October.

At Friday's meeting Chairman Pol advised that Mr. Don Puckett, Legal Counsel, had an item requested by Dravo, Company on shell dredging to be taken up under **Other Business**.

Mr. Puckett reported that a request was received this week on behalf of Dravo from their attorneys asking for a waiver under the provision of the lease. The lease itself provides for a guarantee annual minimum royalty of six hundred and forty thousand dollars a year. The Commission will recall that this was an amount that was placed on the lease to make sure that at least a minimum of dredging took place to insure at least a minimum amount of revenue for the department. There is a provision in that clause that allows the Commission to proportionally reduce the amount of that royalty if for reasons beyond Dravo's control dredging ceases or does not occur. Dredging, in this particular case, was suspended in the lake by the department as a result of DEQ Water Quality Certification permit denial. Mr. Puckett stated that he understands that this denial is on appeal but in any event he has looked at the paragraph that provides for the reduction and it is his opinion upon reading the paragraph that it is the prerogative of the Commission if they choose to proportionally reduce that guaranteed annual minimum royalty. Mr. Puckett gave an example of reduction by proportion saying that if dredging was to occur for six months out of the upcoming lease year the Commission could proportionally reduce it by fifty percent. If the Commission chooses to do this stated Mr. Puckett it would be his recommendation not to take formal action at this meeting but rather give him another month to have a formal resolution prepared because basically you are talking about language that would have to be as precise as the lease itself. If this is the Commission's pleasure then this item can be taken up at the October meeting for consideration stated Mr. Puckett. Mr. Puckett advised that Mr. Franklin of Dravo was attending the meeting and if it is his pleasure to address the Commission, Mr. Puckett has no objections.

Chairman Pol advised Mr. Franklin that they would be happy to have him address the Commission and that the Commissioners had already talked to Mr. Puckett about this. It is basically the feelings of the Commission that reduction is fair but in order to comply with everything the Commission will defer and wait for Mr. Puckett's resolution.

Dr. Hines asked if the Commission was crossing that bridge before they got to it as you are talking about September of next year. He suggested that the Commission not take any action at this time on changing the lease when the amount of time for dredging is not known at this point. The Commission should wait and see what happens. Mr. Jenkins commented that he thought Dr. Hines had a good point and the Commission has got to the end of the year to address this question.

Mr. Franklin stated that they just wanted to bring this issue up and make the Commission aware of what was going on. Mr. Franklin thinks the DEQ hearing will be sometimes in October but does not know the exact date. There is no telling how long the hearing process will take and when the final decision will occur.

Chairman Pol advised that if there are no objections the Commission will defer action on this issue until a later date and stated that Dravo will be treated fair by the Commission.

At Friday's meeting Secretary Van Sickle gave the **Secretary's Report to the Commission.**

Secretary Van Sickle advised that she had a lengthy report and some items that are important to the Commission and the department.

The hunting pamphlets have been distributed and were printed at a cost of \$29,400 compared to the cost of the 1988-89 pamphlet which was \$87,835. The savings to the department is right at \$50,000. This was done through small advertisements that do not obscure the bulk of the regulations. There have been no negative comments on the pamphlet.

A letter was put in each Commissioner's folder from Mr. Puckett to the House Legislative Services on recodification of Title 56. Title 56 in general is a mess and is very hard for the law enforcement agents to comprehend especially when you have three parts that address shrimp. The letter to the House Legislative Services is self-explanatory and very straight forward. There will be no substitutive changes and will just basically remove the laws that have been repealed. Mr. Puckett has proposed how it should be organized. This will cost around \$10,000 and will be done by the House Legislative Services.

Mr. Vujnovich attended a hearing that was held in New Orleans last week on the red snapper. There were about two thousand people at the hearing. The proposal from the Gulf Council that the shrimpers were commenting on was to basically eliminate the spring shrimp season offshore, from the beach out. May, June and July would have been closed to shrimping Gulf wide. In addition, in 1993 the shrimpers would be required to pull a fish excluder device (FED). The problem was pointed out that such a device does not exist at this time and it took four to five years to develop a TED and require it. On the recreational size they were going to go from a seven fish bag limit to a two fish bag limit and the commercial directed quota was going from 3.1 million pounds to 1 million pounds. Most of the people who commented were shrimpers and a few snapper fishermen. Because of the outcry from the shrimpers across the Gulf, from Galveston to Mobile and even in Florida, who are against this proposal the states may be successful in defeating it. The Gulf Council will be meeting in New Orleans in two weeks and they will vote on the measure. Basically what the Gulf Council

is saying with this proposal is that they are going to take away the Commission's right to set offshore shrimp seasons. Governor Roemer attended the meeting and stated that he would be willing to go to court over this if he had to. Mr. Jenkins asked why the Gulf Council was making this proposal. Secretary Van Sickle answered that snapper slots have declined and the juvenile snappers are killed in shrimp trawls. There is a lot of debate as to how many of these fish are being killed. Several things that are known that makes this proposal make not much sense are 1) only three to five percent of these juvenile fish are killed east of the river so why impose this is on Mississippi, Alabama and Florida; 2) sixty three percent of the juvenile snapper mortality occurs off of Texas with a lot occurring off of Louisiana in the Plaquemines parish area and southwest Louisiana; 3) most occurs in water that is eight-nine fathoms and deeper so why close from beach out. The rationale of the Council is that it would be economically good for shrimping. All the shrimping associations are opposed to this, the Louisiana GCCA was opposed, and the Alabama GCCA was also opposed to this proposal.

Representative John Smith called and was upset because the Youth Hunt was eliminated on the Boise-Cascade property in Vernon parish which is one of the department's wildlife management area. There were one hundred and twenty two kids that participated in this Youth Hunt on the area. From a law enforcement perspective there is a problem with going back and putting it in the regulations. In the new hunting pamphlet it is stated that the area is opened to adult hunters for that weekend and if it is changed to a Youth Hunt no cases could be made on adult hunters that did not know the Youth Hunt provisions. Secretary Van Sickle suggested that Representative Smith and others that are interested in this Youth Hunt be told that the department will do this next year unless the Commission wanted to go ahead and add this in. Chairman Pol asked how this could be done. A public notice could be sent out. The hunting pamphlet regulations states that these are only part of the regulations and may not included everything there is. After a careful review of the hunting pamphlet Dr. Hines advised that it was determined that Boise-Vernon WMA is in Area 3 and the hunting season for Area 3 is November 3 to November 30, still hunting; December 1-7, muzzleloader; December 8-January 1, still hunting. On Boise-Vernon the hunting is November 3-16; November 18-21; and November 25, bucks only; November 17, 23, 24, either sex. In the wildlife management areas that open on November 3 for bucks only the Youth Hunt is on October 27-18 and those that opened on November 23 for hunting the Youth Hunt is on November 3-4. Dr. Hines stated that he does not see how a Youth Hunt on October 27-28 would cause any major problems in that area (Boise-Vernon WMA) unless it would be a manpower shortage in the Game Division to where the hunt could not be supervised or permits issued. Secretary Van Sickle stated that Dave Morrison did indicate that manpower was one of their considerations. Mr. McInnis advised that he has talked with Representative Smith and he was certainly

disappointed with the Youth Hunt being eliminated this year but he is concerned, as Enforcement is concerned, that once these regulations are published you cannot effectively prohibit people from using the area other than youth. Mr. McInnis stated that if it is the desire of the Commission to have both hunters on site at the same time this is something Enforcement can work with but did point out that the bow hunting season, squirrel season, rabbit season, etc. are all open on the area at the same time. Chairman Pol stated that if the Commission had no objections to let Secretary Van Sickle and Mr. McInnis work this out and if possible honor Representative Smith's request concerning the Youth Hunt on Boise-Vernon. Secretary Van Sickle stated that the department did not want to endanger the kids out there and at this point it sounds like the department may not be able to do this but will look into it further and if it looks like it is not a safety problem maybe it can be done. Secretary Van Sickle asked the Commission if this does present a safety problem may she tell Representative Smith that next year there will be a Youth Hunt on Boise-Vernon. The Commission concurred with this request.

Updating the Black Bass Management Plan a statewide attitude and opinion survey was done on several thousand freshwater anglers and the survey has been completed, it was several pages long and not anything like the dog-still hunting survey that was done. There was a lot of information including questions about slot limits, etc. to try and get the angler's opinion of the proposals that have been included in the proposed Black Bass Management Plan. LSU is doing the statistical analysis and have gotten a three week extension because they could not provide the department with the report within the time frame. Regulations should be presented to the Commissions at the October or November Commission meeting.

The Commission had asked the department to look into the problems of the abandoned Texaco oil field in Hackberry Bay and what recourse the Commission would have for making these people clean up their mess. A letter was written to Mr. Ron Gomez, Secretary, Department of Natural Resources (DNR), about the complaints of oil field debris in Hackberry Bay. Mr. Gomez referred the complaint to Mr. LeBlanc in the Lafayette office who is in charge of violations. Mr. Ron Dugas and Mr. Ron Danier of the department held a meeting with the commercial fishermen in Hackberry Bay. The DNR people were basically appalled at the trash that had been left behind and had never gone in to check the area. At this point DNR thinks they will be able to help the department. Mr. Vujnovich added that he had received about three telephone calls from the Texaco Oil Company representative wanting to know what was wrong in there and he told him. The representative informed Mr. Vujnovich that they had a ten year plan to clean this area up and Mr. Vujnovich suggested that they get in touch with the department and speed this cleanup up. Texaco has had some meetings with DNR and are realizing the danger there is in Hackberry Bay. Secretary

Van Sickle asked if there were any other areas that needed looking at. Mr. Vujnovich stated that there is Quarantine Bay area and Black Bay. A lot of boats have been hooking pipes when they are fishing these areas. Secretary Van Sickle advised Dr. Clark that Mr. Vujnovich asked that Quarantine Bay and Black Bay areas be checked for cleanup and asked that this be looked into.

A fish kill occurred in the Grand Isle area and the problem that the department contributes the kill to is low dissolved oxygen. Secretary Van Sickle passed around pictures taken of the fish kill. A formal report has been put in each of the Commissioner's packets that basically summarizes the results of the field survey. The dissolved oxygen in Caminada got down to "0". There are dead zones in the Gulf and every year this occurs off the Louisiana coast stated Secretary Van Sickle. This year it was much more severe in this area than it has been in the past years. The majority of the fish that ended up in the kill were small fish and forty seven percent that were found on the beach and water were croakers, twenty six percent were sea catfish, .7 percent were speckled trout and only .8 percent of the numbers of fish were red drum. One percent of the fishes that were killed were redbfish and even though it looks bad the numbers were low. Offshore fish kills were also reported by oil companies helicopter pilots but after flying for two days, fifteen miles out, nothing could be located advised Secretary Van Sickle. Also it was reported that the water was red which would have indicated "red tide". Tests were done and there were no dinoflagellates in any of the samples done on the fish or the water. When there is a fish kill as this the department goes out with DEQ and they will do a more intensive analysis of the water itself. The total fish killed, in the entire area, was between one hundred thousand and a hundred a fifty thousand fish right at half of that being croaker.

Yesterday the Marine Spill Response Commission made an announcement that is very significant to the state. There is an organization called PIRO which is a Petroleum Industry Response Organization nationwide that is trying to take care of the industry's response to an oil spill. They have announced that they are going to have two oil spill cleanup facilities located in Louisiana. One will be in Venice and one will be at Lake Charles. Prior to the Mega Borge spill they had only talked about putting one in the entire Gulf. Others are located in Mobile, Galveston and Corpus Christi.

At the next Commission meeting there will be on the agenda an item on the Marine Fisheries Management Policy. A finfish panel has worked on this for a year and basically it is a state policy on how Louisiana manages marine fish. Secretary Van Sickle asked Dr. Clark to send a copy of the draft policy to each Commissioner.

Secretary Van Sickle distributed to the Commissioners a letter that was prepared by Mr. Puckett at the request of Mr. Jenkins. This letter outlines the different authorities, as best Mr. Puckett

could determine, for the Commission and the different authorities for the department. Secretary Van Sickle asked Mr. Puckett to summarize the letter. Mr. Puckett stated that the letter basically outlines the respective powers and authorities of the Commission and the department. The law book presently provides something of a hodge-podge of laws that have been passed throughout the years. With the advent of a 1975 Constitution and the subsequent creation of the department along with nineteen other Executive Branch departments it placed into some questions the respective duties of the Commission and the department. Mr. Puckett pointed out that he has tried to reconcile the existence of the two agencies and how they fit together. The Commission, as Mr. Puckett reads it and as presently set out in Title 56 is a resource management agency, in other words it is pretty clear that throughout Title 56 the Commission has been given specific grants of power concerning the resource with regard to seasons, game, fish, etc. The question concerning the actual administration of the department itself and what Title 36 did is set up the Secretary which is under the Governor's control and supervision. This has to be squared with the provisions in the beginning of Title 56 which talk about the Commission through its Secretary or for some instances through its Director. As best as Mr. Puckett reads this there are instances within which the Secretary answers directly and only to the Governor and those concerned areas of the administration, or operation, or enforcement of the department and its functions. There are other instances when the Secretary serves as the Chief Executive Officer of the Commission and those are those instances where the Commission clearly has authority to regulate the resource. As a general opinion Mr. Puckett thinks most of these instances can be resolved and those instances that are on the line or in the so called gray area the Commission and department will try to address them as best they can on a case by case basis.

At the last Commission meeting the Commission without any discussion and whether or not it was the role of the Commission basically instructed the department staff to repair an airplane that had been crashed, was on an unauthorized flight, flown by a pilot who was not authorized by the FFA, and ran out of gas. The plane would cost \$35,000 to repair or buy a second hand plane for less than \$35,000. The insurance would cover \$5,000 and the department had made the decision on what to do with this piece of equipment. Subsequent to this some of the staff lobbied a Commission member and in front of the public basically argued with the management staff of the department about the situation. According to Mr. Puckett, department Legal Council, this issue is something that is the department's responsibility. Ms. Baker wrote a memo to Mr. Stine, very unbiased, basically asking for concurrence for what the Commission wanted to do but she did say that this was something the department did not support and Mr. Stine did not concur. Mr. Stine controls all the state aircraft. Secretary Van Sickle pointed out that at this point the aircraft is being disposed of but it does leave something on the record and



asked that the Commission address this again. Since Mr. McCall was the Commissioner who brought this up and was not able to attend this meeting, Secretary Van Sickle asked that the Commissioners, at the next Commission meeting, reconsider this particular item. She also asked that they read Mr. Puckett's letter and if there is not a clear understanding of who does what regarding equipment, personnel, and basically running the day to day operations of the department there will continue to be problems.

Secretary Van Sickle asked Mr. Kell McInnis to summarize the status of the Atchafalaya Delta manpower and equipment allocations to bring the Commission up-to-date.

Mr. McInnis reported that last year at the request of the Commission the department took a look at the Atchafalaya Delta and its operation. Secretary Van Sickle directed the Fur and Refuge Division to prepare some information for her review, a long term management plan for the operation of that facility, and took a close look at the equipment that was assigned to that particular area. A plan was received but sent back for further work and it still needs to be refined to some extent. It cannot be a rigid document because of the interactions with the Corps of Engineers and other outside parties to the department. Mr. Jenkins yesterday had asked a question about the status of the Atchafalaya Delta boat stated Mr. McInnis. The crew boat has been utilized in cooperative efforts with the Law Enforcement Division. A great deal of the equipment has been utilized and cooperation with the Fur and Refuge out there has been very good. The Fur and Refuge Division currently has two people on the area and one vacancy. One position was transferred from the Atchafalaya Delta group in Fur and Refuge to the Enforcement staff in Region IX. That vacancy that was transferred to Enforcement has been filled and the cadet will begin his formal training through the academy on September 17 but has been down in the area and working with area personnel. Enforcement has utilized the Atchafalaya Delta for a total of six times during the last four months for law enforcement purposes during the shrimp season. The boat has specifically good uses for this type of activities but very limited in where it can go. There was also a twenty-five foot Boston Whaler that was rigged out with out drives, loran, radar, much faster speed and can go in shallow water. After sitting down with Fur and Refuge staff and Enforcement staff a decision was made that the Boston Whaler was much more feasible and Enforcement would get much more use out of transferring the Boston Whaler for regular day to day operations in the Enforcement Division in that area as opposed to the crew boat which was more limited in its particular use. The cooperation between the two division in that area and the utilization of the equipment by both Fur and Refuge and Enforcement is a vast improvement where it was a year ago concluded Mr. McInnis.

Mr. Jenkins thanked Secretary Van Sickle for the report and believes that a good job is being done with the Atchafalaya Delta

area. Secretary Van Sickle stated that at this point she thinks it is off in the right direction but still has some concerns about some of the equipment allocations and will be dealing with this.

There has been a lot of interest in the Deer Season Advisory Group from the public. This has been discussed with Chairman Pol. Mr. Jones has worked with Chairman Pol to come up with a proposed makeup for this particular task force. At this point in the meeting Secretary Van Sickle presented the membership recommendations to the Commissioners and asked for their concurrence so that it could be noted today in the record. Those recommended for the task force are:

**Senate** - Joe McPherson

**House** - Rodney Alexander

**Still Hunters** - Gordon Hutchinson, President, LA Still Hunters Association; Jim Dunlap, President, North LA Still Hunters Association; and Jessie Fontenot, Morgan City, representing the still hunters.

**Dog Hunters** - Randy Lanoux, President, South LA Dog Hunters Association, Ascension Parish; Charles Wolmack, President, LA Dog Hunters Association; and Warren King, President, Hunters Against Poachers, Gonzales.

**Landowners** - Paul Dixon from North Louisiana, Shreveport, active in the Nature Conservancy; and Cotton Fairchild, Krotz Springs.

Secretary Van Sickle advised that none of these individuals have been contacted yet because the Commission's concurrence was needed and if the Commissioners would like to add someone or would like to make comments do so at this time.

Mr. Jenkins made a motion that the list for the Deer Management Advisory Group be adopted. The motion was seconded by Mr. Foret and passed unanimously. Secretary Van Sickle advised that if anyone declines she will come back to the Commissioners with a replacement. Chairman Pol stated that since he is in Baton Rouge and this should occur that Secretary Van Sickle can just call him.

Mr. Johnnie Tarver has transferred from the Fur and Refuge Division and is now the Chief for the Habitat Conservation Division leaving a vacancy in the Fur and Refuge Division. There is also a Chief's vacancy that will be filled in the new Research Division in the Office of Fisheries.

DEQ is proposing some new regulations and at the next meeting Secretary Van Sickle would like to set aside fifteen minutes to let them present to the Commission the findings of a study that they


have just completed on the "Effects of Produced Water Discharges on Oysters and on Water Quality". They have some startling results and Secretary Van Sickle would really like the Commissioners to listen to this report and consider supporting the proposal. The public comment period will be opened through December and DEQ is basically proposing that within four years all discharging be phased out.

Secretary Van Sickle advised that Louisiana is hosting a conference starting today, in New Orleans, of the International Association of Fish and Wildlife Agencies with all the state game and fish directors from around the country attending and also includes Canada, Mexico, Taiwan, etc. Secretary Van Sickle invited the Commissioners to attend the meeting and meet some of the people.

Mr. Vujnovich stated he would like to point out something about the oyster season. The first time he and Dr. Clark went out to oyster areas they could not find any oysters. They went another day and were well equipped. The Black Bay area, which has been closed for a year, is now producing plentiful oysters which means that with a little management and proper conservation along with enforcement personnel doing their job that there is a future in the seafood industry. Mr. Vujnovich stated that he personally is very happy about what he has seen and if it is handled right there will be a successful oyster industry in the future. Mr. Vujnovich requested that the Enforcement people, the Oyster Task Force, if they can, keep an eye on this area before the season opens on October 3.

Chairman Pol advised that this concludes the major part of the agenda and that the Commission would be going into **Executive Session** to discuss oyster litigation. There being no other business a motion was made by Mr. Jenkins that the Commission adjourn and go into Executive Session. The motion was seconded by Dr. Hines and passed unanimously.

Upon conclusion of the Executive Session Chairman Pol reconvened the September 7, 1990, Commission meeting. There being no other business to bring before the Commission a motion was made by Mr. Jenkins for the adjournment of the September Commission meeting. The motion was seconded by Mr. Vujnovich and passed unanimously.

  
\_\_\_\_\_  
Virginia Van Sickle  
Secretary

VVS:sb

RESOLUTION  
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD IN NEW ORLEANS, SEPTEMBER 7, 1990.

WHEREAS, R.S. 56:111.1 was passed during the 1990 Legislative Session, and

WHEREAS, this statute directs the Louisiana Department of Wildlife and Fisheries to develop regulations to provide for marking property enrolled in the Deer Management Assistance Program (DMAP), and

WHEREAS, these regulations will allow trespassers to be charged with illegal harvest of wildlife species on lands enrolled in the DMAP, and


WHEREAS, the Louisiana Department of Wildlife and Fisheries has developed regulations concerning placement and type of signs, and

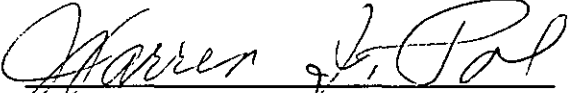
WHEREAS, these rules and regulations need to be established prior to the 1990-91 deer season, and

WHEREAS, compliance with these rules and regulations will be voluntary for DMAP cooperators, now

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby adopt the attached rules and regulations in response to R.S. 56:111.1 by Declaration of Emergency, and

BE IT FURTHER RESOLVED that these rules and regulations will be established as a permanent rule in accordance with the Administrative Procedure Act.

  
Virginia Van Sickle, Secretary  
La. Dept. of Wildlife & Fisheries

  
Warren Pol, Chairman  
La. Wildlife & Fisheries Commission

## RESOLUTION

Louisiana Department of Wildlife and Fisheries

Louisiana Wildlife and Fisheries Commission

- WHEREAS, That portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-Jefferson Parish line, is included in city municipal ordinances that prohibit the discharge of all firearms; and
- WHEREAS, The newly formed Bayou Sauvage National Wildlife Refuge lies within this section of Orleans Parish and will prohibit all hunting activities for resident and migratory game; and
- WHEREAS, This area in and around the Bayou Sauvage National Wildlife Refuge will soon be a popular area used by citizens for fishing, camping, nature study and other outdoor recreational purposes; and
- WHEREAS, The Refuge will provide an outdoor setting for enjoyment of family oriented activities particularly for children and older adults; and
- WHEREAS, Existing small tracts of wooded land bordering the Refuge and city subdivisions will only provide an enforcement dilemma; and
- WHEREAS, The U. S. Fish and Wildlife Service and the New Orleans Police Department support correcting this situation before someone is injured; and
- WHEREAS, This area of Orleans Parish, in the judgment of the Department of Wildlife and Fisheries, is not a safe or proper environment for hunting activities to take place.

THEREFORE BE IT RESOLVED that that portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-Jefferson Parish line shall be closed to all shooting or hunting by any means or device until further notice, effective September 7, 1990.

  
Warren I. Pol, Chairman

  
Virginia Van Sickle, Secretary

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act, and under the authority of R.S. 56:6 and 115, the Wildlife and Fisheries Commission hereby finds that an imminent peril to public welfare exists and accordingly adopts the following emergency rule:

That portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Itra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-Jefferson Parish line shall be closed to all shooting or hunting, by any means or device until further notice, effective September 7, 1990.

The Commission finds that <sup>the</sup> above closure is necessary for reasons of public safety and recreation; and further due to the fact that this portion of Orleans Parish is included in city municipal ordinances that prohibit the discharge of all firearms, and said area is adjacent to Bayou Sauvage National Wildlife Refuge wherein hunting activities are prohibited. The Commission further finds that this action is necessary to enhance enforcement of hunting restrictions in the general area.

Warren I. Pol

Chairman

RESOLUTION

Louisiana Department of Wildlife and Fisheries

Louisiana Wildlife and Fisheries Commission

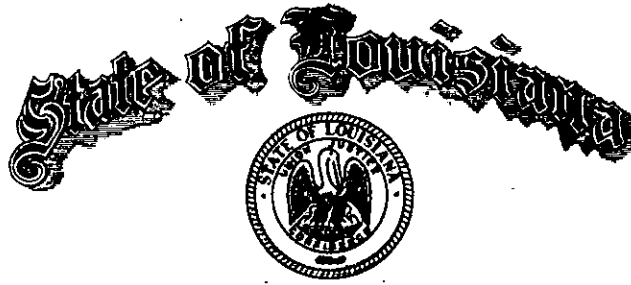
- WHEREAS, That portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-Jefferson Parish line, is included in city municipal ordinances that prohibit the discharge of all firearms; and
- WHEREAS, The newly formed Bayou Sauvage National Wildlife Refuge lies within this section of Orleans Parish and will prohibit all hunting activities for resident and migratory game; and
- WHEREAS, This area in and around the Bayou Sauvage National Wildlife Refuge will soon be a popular area used by citizens for fishing, camping, nature study and other outdoor recreational purposes; and
- WHEREAS, The Refuge will provide an outdoor setting for enjoyment of family oriented activities particularly for children and older adults; and
- WHEREAS, Existing small tracts of wooded land bordering the Refuge and city subdivisions will only provide an enforcement dilemma; and
- WHEREAS, The U. S. Fish and Wildlife Service and the New Orleans Police Department support correcting this situation before someone is injured; and
- WHEREAS, This area of Orleans Parish, in the judgment of the Department of Wildlife and Fisheries, is not a safe or proper environment for hunting activities to take place.



THEREFORE BE IT RESOLVED that that portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-Jefferson Parish line shall be closed to all shooting or hunting by any means or device until further notice, effective September 7, 1990.

  
Warren I. Pol, Chairman

  
Virginia Van Sickle, Secretary



VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

September 19, 1990

**M E M O R A N D U M**

TO: Virginia Van Sickle, Jerry Clark, Bettsie Baker  
FROM: Wade Byrd  
SUBJECT: Commission Meeting Reminder

The Commission, at its September meeting, directed the following actions:

**Jerry Clark**

- Mail draft copy of the Marine Fisheries Management Policy to each commissioner.
- Invite DEQ and DNR to attend October commission meeting and address inshore artificial reef issues. DEQ would be invited to address water quality permit issue (if not resolved before then) and DNR would be invited to address the issue of the amount of shells owed the department as mitigation by dredgers.
- Investigate problem of obstructions in Quarantine and Black bays.

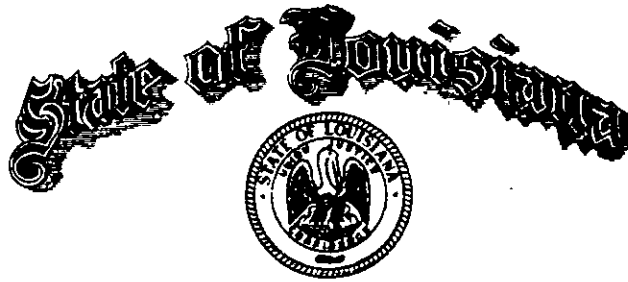
**Bettsie Baker**

- Report on status of bond sale and method of assuring that department will receive promised \$20 million for 400 Royal Street property.

**Don Puckett**

- Commission elected to defer until some unspecified date the issue of a reduction in the minimum royalty payment due by Dravo for dredging in Lake Ponchartrain. However, at some later date language to accomplish this may be required.

cc: Virginia Van Sickle



**VIRGINIA VAN SICKLE**  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

**BUDDY ROEMER**  
GOVERNOR

September 19, 1990

**M E M O R A N D U M**

**TO:** Virginia Van Sickle, Jerry Clark, Bettsie Baker  
**FROM:** Wade Byrd  
**SUBJECT:** Commission Meeting Reminder

The Commission, at its September meeting, directed the following actions:

**Jerry Clark**

- Mail draft copy of the Marine Fisheries Management Policy to each commissioner.
- Invite DEQ and DNR to attend October commission meeting and address inshore artificial reef issues. DEQ would be invited to address water quality permit issue (if not resolved before then) and DNR would be invited to address the issue of the amount of shells owed the department as mitigation by dredgers.
- Investigate problem of obstructions in Quarantine and Black bays.

**Bettsie Baker**

- Report on status of bond sale and method of assuring that department will receive promised \$20 million for 400 Royal Street property.

**Don Puckett**

- Commission elected to defer until some unspecified date the issue of a reduction in the minimum royalty payment due by Dravo for dredging in Lake Ponchartrain. However, at some later date language to accomplish this may be required.

cc: Virginia Van Sickle

*Sealed-bid sale*

*Patty*

*4:00*

AGENDA  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
MONTELEONE HOTEL  
NEW ORLEANS, LOUISIANA  
SEPTEMBER 6-7, 1990

*Mr. Garrity*

- ✓1. Roll Call
- ✓2. Approval of Minutes of August 9-10, 1990
3. National Wild Turkey Federation Cooperative Agreement - Danny Timmer
- ✓4. Declaration of Emergency and Notice of Intent/DMAP Regulations to Address 1990 Legislation - Dave Morrison
- ✓5. District Attorney's Disposition Report - Kell McInnis
- ✓6. HB 1265 (Act 899) Class 1 Violation Modification - Kell McInnis
- ✓7. Declaration of Emergency - Bayou Sauvage / Orleans Parish - Enforcement of Parish Hunting Ordinance and/or Total Closure of Hunting Season for Certain Areas in Orleans Parish - Kell McInnis
- ✓8. Spotted Seatrout Sampling Results - Update - Jerry Clark
- FRIDAY (9) ✓9. August Shrimp Season Report - Phil Bowman
- FRIDAY (10) ✓10. Ratification of Public Oyster Seed Grounds - Vermilion, East and West Cote Blanche and Atchafalaya Bays - Ron Dugas
- ✓11. Notice of Intent - Daily Bag and Possession Limit for Freshwater Trout - Jerry Clark
- ✓12. Update on Inshore Artificial Reef Program - Dr. Charles Wilson
- ✓13. Monthly Enforcement Report - Winton Vidrine
- FRIDAY (14) ✓14. New Orleans Property - Surplus and Sale (Friday Only) - Virginia Van Sickle
- FRIDAY (15) ✓15. Secretary's Report to the Commission - Virginia Van Sickle

OTHER BUSINESS:

PUBLIC COMMENTS:

*Roberts Rules Order!*

504  
394-2463

Allan Emanuel

re: display

From the office of:  
B. J. Pecoraro  
Sales Manager



*The Monteleone*

Area Code 504  
Tel. 523-3341  
FAX 528-1019  
Zip Code 70140

214 Rue Royale - New Orleans, U. S. A.

June 12, 1990

Ms. Betsy Baker  
LOUISIANA WILDLIFE & FISHERIES  
P. O. Box 98000  
Baton Rouge, LA 70898-9000

Dear Ms. Baker:

Through conversation with Ms. Sharyn Bateman, she requested that I send you the following agreement regarding meeting space for the Louisiana Wildlife & Fisheries in September, 1990.

It is my understanding that those attendees will make their reservation through the block of rooms being held by Mr. Bob Dennie of the International Association of Fish & Wildlife Agencies.

I am pleased to be able to confirm the following meeting space for you:

THURSDAY, SEPTEMBER 6, 1990

Meeting-Rental \$75.00      2:00 pm - 5:00 pm      75 People

FRIDAY, SEPTEMBER 7, 1990

Meeting-Rental \$75.00      9:00 am - Noon      25 People

Total payment can be prepaid by forwarding a check for \$166.50 to my attention. Coffee breaks and any other meeting related charges can be billed to a master account if you so desire.

Ms. Baker, if the above meets with your approval, please sign and return the enclosed copy of this letter to my attention as soon as possible.

Should you have any questions or if I may be of further assistance, please do not hesitate to call. It is with great pleasure that The Monteleone anticipates being of service to you and your associates.

Sincerely,

  
B. J. Pecoraro  
Sales Manager

BJP:lm  
Enclosure  
cc: Ms. Sharyn Bateman  
APPROVED: \_\_\_\_\_

DATE: \_\_\_\_\_

*Largest Hotel in the Fabulous French Quarter*

*Since 1886 - A Tradition of Service and Dependability for over 100 Years*

**ROLL CALL**  
September 6-7, 1990

Monteleone Hotel  
New Orleans, LA

	Thursday	Friday
Warren Pol (Chairman)	<u>✓</u>	<u>✓</u>
Houston Foret	<u>✓</u>	<u>✓</u> <i>late</i>
Don Hines	<u>✓</u>	<u>✓</u>
Jimmy Jenkins	<u>✓</u>	<u>✓</u>
Bert Jones	<u>—</u>	<u>—</u>
Norman McCall	<u>—</u>	<u>—</u>
Peter Vujnovich	<u>✓</u>	<u>✓</u>

Mr. Chairman:

(Thursday)

There are 5 Commissioners in attendance and we have a quorum.  
Secretary Van Sickle is also present.

(Friday)

There are 5 Commissioners in attendance and we have a quorum.  
Secretary Van Sickle is also present.

*done*

Freddie - Tomson  
Asbestos

Special Agent  
David Rosenbloom  
2917 Palomares  
Carmel 70243  
Roe to City 9-12-80 - Fishers  
87

Packet - in forward  
to Canyon - Eng.  
Roe 9-13-80

Ann Taylor  
La Haddam  
POB 1199  
Bottle, La  
70039

unauthorized flight  
pilot by  
FAA  
ran out of gas

Oct 4+5



AGENDA  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
MONTELEONE HOTEL  
NEW ORLEANS, LOUISIANA  
SEPTEMBER 6-7, 1990

1. Roll Call
2. Approval of Minutes of August 9-10, 1990
3. National Wild Turkey Federation Cooperative Agreement - Danny Timmer
4. Declaration of Emergency and Notice of Intent/DMAP Regulations to Address 1990 Legislation - Dave Morrison
5. District Attorney's Disposition Report - Kell McInnis
6. HB 1265 (Act 899) Class 1 Violation Modification - Kell McInnis
7. Declaration of Emergency - Bayou Sauvage / Orleans Parish - Enforcement of Parish Hunting Ordinance and/or Total Closure of Hunting Season for Certain Areas in Orleans Parish - Kell McInnis
8. Spotted Seatrout Sampling Results - Update - Jerry Clark
9. August Shrimp Season Report - Phil Bowman
10. Ratification of Public Oyster Seed Grounds - Vermilion, East and West Cote Blanche and Atchafalaya Bays - Ron Dugas
11. Notice of Intent - Daily Bag and Possession Limit for Freshwater Trout - Jerry Clark
12. Update on Inshore Artificial Reef Program - Dr. Charles Wilson
13. Monthly Enforcement Report - Winton Vidrine
14. New Orleans Property - Surplus and Sale (Friday Only) - Virginia Van Sickle
15. Secretary's Report to the Commission - Virginia Van Sickle

OTHER BUSINESS:

PUBLIC COMMENTS:

DECLARATION OF EMERGENCY

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

In accordance with the provision of R.S. 49:953B and in order to establish rules and regulations mandated by R.S. 56:111.1 passed during the 1990 legislative session, the Secretary of the Louisiana Department of Wildlife and Fisheries and Louisiana Wildlife and Fisheries Commission hereby finds that the public welfare is best served by adopting the following emergency rule prior to the 1990-91 deer season. The emergency rule shall establish criteria pertaining to the marking of property enrolled in the Department's voluntary Deer Management Assistance Program that will allow cooperators to prosecute trespassers for taking wildlife from these posted lands. Rules and regulations shall be as follows:

- Sign Color: Orange
- Size: 11 1/4" x 11 1/4"
- Lettering: The words DMAP and Posted can be no less than 4" (four inches) in height.
- Construction: Metal, wood, plastic, paper or other material
- Placement: Signs will be placed no more than 200' (two hundred feet) apart and at each point of entry.

The Louisiana Wildlife and Fisheries Commission and Louisiana Department of Wildlife and Fisheries will effectuate a permanent rule that will implement these regulations beyond the 120 day period by a Declaration of Emergency.

Warren Pol  
Chairman

(4)

NOTICE OF INTENT  
DEPARTMENT OF WILDLIFE AND FISHERIES  
WILDLIFE AND FISHERIES COMMISSION

TITLE 76

WILDLIFE AND FISHERIES

Part V: Wild Birds and Wild Quadrupeds

Chapter 1: Wild Quadrupeds

Section 109: Regulation for Signs and Sign Placement for DMAP  
Cooperators

The Wildlife and Fisheries Commission does hereby give notice of its intent to promulgate a Rule to establish rules governing sign regulations and placement on Deer Management Assistance Program cooperator. Said notice is in response to Act 499 of the 1990 Legislative Session and compliance is optional for cooperators in this voluntary Department program. This Rule is attached and made part of this Notice of Intent.

Public hearings concerning the proposed rule will be held at regularly scheduled Commission meeting in October and November. Additionally, interested parties may submit written comments relative to the proposed rule until 4:30 p.m., November 30, 1990 to Clyde Vienne, Deer Management Assistance Program Coordinator, Box 98000, Baton Rouge, Louisiana 70898-9000.

Authority Note: Promulgated in accordance with R.S. 56:111.1

Historical Note: Promulgated by Department of Wildlife and Fisheries and Wildlife and Fisheries Commission

LR16: (        ).

Warren Pol  
Chairman

E N F O R C E M E N T   D I V I S I O N

C A S E   R E P O R T

AUGUST, 1990

ENFORCEMENT DIVISION CASE REPORT-AUGUST 1990

REGION 1

TOTAL CASES-106

ENFORCEMENT-106

OTHER - 0

29-Boating

31-Angling W/O License

31-Fishing W/O Cane Pole License

1-Buying And/Or Selling Deer Or Meat

3-Take Undersize Bass

4-Illegal Possession Of Drugs Or Marijuana

1-Littering

6-Cultivation Of Marijuana

CONFISCATIONS:

93 marijuana plants 8 to 10 feet high.

REGION 2

TOTAL CASES-83

ENFORCEMENT-83

OTHER - 0

66-Boating

17-Fish Without Resident Pole License

3-Use Illegal Bait Seines

1-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way

1-D.W.I.

1-Other Than Wildlife And Fisheries

Page (2)

REGION 3

TOTAL CASES-100

ENFORCEMENT-100

OTHER - 0

43-Boating

36-Angling W/O A License

5-Fish W/O Resident Pole License

2-Use Gear W/O Recreational Gear License

1-Take Or Sell Commercial Fish Or Bait Species W/O Commercial License

2-Take Commercial Fish W/O Commercial Gear License

2-Use Illegal Mesh Nets

1-Blocking Passage Of Fish

4-Hunt Or Take Deer Or Bear C/S

2-Poss. Of Illegally Taken Deer Or Bear

1-Criminal Trespass

1-Take Undersize Gamefish

CONFISCATIONS:

1-18 H.P. Mercury outboard, 1-9.8 Mercury outboard, 1-3 inch gill net-60 yards,  
1-3 inch gill net-40 yards, 1-1 inch seine 100 feet, 2-4 inch gill nets 600  
feet.

Page (3)

REGION 4

TOTAL CASES-48

ENFORCEMENT-45

OTHER - 3

23-Boating

14-Angling W/O A License

6-Fish Without Resident Pole License

1-Take Or Sell Commercial Fish Or Bait Species W/O Commercial License

1-Take Commercial Fish W/O Commercial Gear License

1-Use Lead Nets In Other Than Overflow Regions

2-Use Illegal Mesh Nets

CONFISCATIONS:

100 yards of 2 inch gill net, 4 hoop nets with leads.

REGION 5

TOTAL CASES-269

ENFORCEMENT-244

OTHER - 25

104-Boating

123-Angling W/O A License

2-Fish W/O Resident Pole License

2-Use Gear W/O Recreational Gear License

2-Angling W/O Saltwater License

3-Fail To Have Fish Intact (Saltwater)

3-Fail To Have Commercial License In Possession

1-Take Or Sell Commercial Fish Or Bait Species W/O Commercial License

2-Take Commercial Fish W/O Commercial Gear License

6-Take Or Possess Commercial Fish Without A Vessel License

1-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License

Page (4)

REGION 5 CONT'D.

- 1-Leave Nets Unattended
- 2-Take Or Possess Undersize Commercial Fish
- 1-Fail To Have Commercial Fish Intact
- 1-Failure To Mark/Tag Nets
- 1-Fail To Comply With Shark Permit And Report Rules
- 1-Trawling Inside Waters W/Oversized Double Rigs (Over 25')
- 1-Butterflying In Closed Season
- 8-Hunting From Moving Vehicle And/Or Aircraft
- 3-Not Abiding By Rules And Regulations On WMA
- 1-Littering

CONFISCATIONS:

831 pounds of shrimp, 2 butterfly nets, 1 shark, 3,671 lbs. of crabs, 1 trawl, 7 gill nets, 1 ling.

REGION 6

TOTAL CASES-309

ENFORCEMENT-303

OTHER - 6

190-Boating

64-Angling W/O A License

15-Fish Without Resident Pole License

3-Use Gear W/O Recreational Gear License

1-Angling W/O Saltwater License

1-Take Game Fish Illegally

1-Take Or Possess Undersized Black Drum

2-Fail To Have Commercial License In Possession

3-Take Or Sell Commercial Fish Or Bait Species W/O Commercial License



REGION 6 CONT'D.

- 4-Take Commercial Fish W/O Commercial Gear License
- 2-Take Or Possess Commercial Fish Without A Vessel License
- 1-Fail To Maintain Records
- 4-Take Or Possess Undersize Commercial Fish
- 3-Trawling In Closed Season
- 3-Trawling Inside Waters W/Oversized Double Rigs (Over 25')
- 5-Trawl In Restricted Areas
- 2-Hunt Rabbits Closed Season
- 2-Interfering With An Officer
- 2-Theft Of State Property
- 1-License Fraud

CONFISCATIONS:

1 resident fishing license and saltwater license, 8 doves (donated), 1 rabbit (donated), 1 Remington 1100-12 gauge, 1 Mossberg Pump 500A 12 gauge, 10-7 1/2 Federal 12 gauge shotgun shells, 341 lbs. of crabs-returned to water, 1-15 HP Mariner, 14 foot Fisher Marine, Two 55' trawls, 1634 lbs. of shrimp, 1 test trawl, 1 boat, 10 lbs. shrimp, 3 1/2 drum.

Page (6)

REGION 7

TOTAL CASES-288

ENFORCEMENT-287

OTHER - 1

98-Boating

87-Angling W/O A License

15-Fish Without Resident Pole License

2-Fail To Have Commercial License In Possession

5-Take Or Sell Commercial Fish Or Bait Species W/O Commercial License

3-Take Commercial Fish W/O Commercial Gear License

2-Take Or Possess Commercial Fish Without A Vessel License

2-Illegal Use Of Monofilament

2-Take Undersize Frogs

3-Sell And/Or Purchase Game Fish

3-Trawling In Closed Season

1-Buying Or Selling Deer Or Meat

1-Littering

CONFISCATIONS:

2 doves, 2 alligators, 2 trawls, 2 gill nets.

Page (7)

REGION 8

TOTAL CASES-420

ENFORCEMENT-215

OTHER -205

16-Boating

20-Angling W/O A License

15-Angling W/O Saltwater License

2-Take Game Fish Illegally

4-Poss. O/L Of Red Drum

3-Take Or Possess Undersized Red Drum

2-Take Or Possess Undersized Spotted Sea Trout

15-Take Or Sell Commercial Fish Or Bait Species W/O Commercial License

9-Take Commercial Fish W/O Commercial Gear License

11-Take Or Possess Commercial Fish Without A Vessel License

3-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License

2-Illegal Use Of Monofilament

4-Leave Nets Unattended

1-Take Or Possess Undersize Commercial Fish

4-Allow Another To Use Commercial License

5-Permit Unlicensed Person To Operate Commercial Vessel

4-Permit Unlicensed Person To Use Commercial Gear

13-Take/Possess Oysters Without Oyster Harvester License

5-Failure To Mark/Tag Nets

2-Theft Of Crab Trap

8-Possess Or Sell Undersized Crabs

172-Trawling In Closed Season

17-Trawling Inside Waters W/Oversized Double Rigs (Over 25')

REGION 8 CONT'D.

- 11-Use Oversize Trawls
- 24-Butterflying In Closed Season
- 3-Use Oversize Butterfly Nets
- 1-Use Illegal Butterfly Nets Extension
- 5-Failure To Have Written Permission
- 1-Unlawfully Take Oysters From State Water Bottoms
- 4-Taking More Than Two Sacks Daily
- 1-Taking Oysters From Unapproved Area
- 5-Unlawfully Take Oysters Off A Private Lease
- 1-Use Undersized Dredge Without Permit
- 1-Take Oysters Illegal Hours
- 2-Failure To Display Proper Number On Vessel
- 12-Fail To Cull Oysters In Proper Location
- 1-Harvest Oysters Without Oyster Harvester License
- 4-Closed Or Restricted Area/Lake Ponchartrain
- 3-Resisting Arrest
- 3-Simple Assault On An Officer
- 1-Public Intimidation

CONFISCATIONS:

26 boxes of crabs, 91 pounds of shrimp-returned to water, 33,619 pounds of shrimp, 119 sacks of oysters-returned to water, 20 sacks of oysters, 4 whole speckled trout, 16 pounds of alligator-various parts, 41 whole red drum, 2 whole flounder, 12 whole black drum, 9 bream, 6 crappie, 3 whole bass, 1 whole mullet, 4 ice chests, 4 hamper baskets, 2 gear license, 2 commercial licenses,

Page (9)

REGION 8 CONT'D.

CONFISCATIONS CONT'D.

2 gill nets, 2 vessel license, 1 dredge permit, 1 oyster dredge, 1 cast net,  
118 trawls, 19 butterfly nets.

REGION 9

TOTAL CASES-521

ENFORCEMENT-493

OTHER - 28

116-Boating

113-Angling W/O A License

40-Fish W/O Resident Pole License

4-Use Gear W/O Recreational Gear License

34-Angling W/O Saltwater License

6-Take Game Fish Illegally

8-Taking/Poss. Over Limit Of Undersized Gamefish

2-Poss. O/L Of Red Drum In Excess Of 27"

2-Take Eel Illegal Methods

1-Fail To Have Fish Intact

8-Take Or Possess Undersized Red Drum

13-Take Or Possess Undersized Spotted Sea Trout

1-Take Or Possess Undersized Black Drum

2-Poss. O/L Spotted Sea Trout

6-Take Or Sell Commercial Fish Or Bait Species W/O Commercial License

7-Take Commercial Fish W/O Commercial Gear License

12-Take Or Possess Commercial Fish Without A Vessel License

4-Netting In Closed Area

3-Take Or Possess Undersize Commercial Fish

REGION 9 CONT'D.

2-Blocking Passage Of Fish

3-Tending Crab Traps Illegal Hours

41-Trawling In Closed Season

10-Trawling Inside Waters W/Oversized Double Rigs (Over 25')

2-Use Oversize Trawls

5-Butterflying In Closed Season

5-Failure To Have Written Permission

6-Unlawfully Take Oysters From State Water Bottoms

17-Taking Oysters From Unapproved Area

17-Unlawfully Take Oysters Off A Private Lease

2-Fail To Have Typed Instruction Aboard Vessel

4-Take Oysters Illegal Hours

8-Harvest Oysters Without Oyster Harvester License

2-Fail To Cull Oysters In Proper Location

3-Possess Firearm While Frogging

4-Littering

1-Criminal Mischief

2-Possess/Take Undersize Federal Controlled Fish

1-License Fraud

1-Public Intimidation

1-Hunting Ducks Closed Season

2-Taking Or Possessing Alligators Closed Season

Page (11)

REGION 9 CONT'D.

CONFISCATIONS:

2 crappie, 4,068 shrimp, 62 1/2 sacks of oysters, 21 crates of crabs, 1 alligator, 79 black bass, 4 filets redfish, 1 amberjack, 107 sea trout, 1 cobia, 7 red drum, 2 black drum, 2 lemon fish, 1 male wood duck, 5 oyster dredges, 13 trawls, 1 20' seine, 2 butterfly nets, 1 cast net, 38 bow fin, 1-20 h.p. Suzuki outboard motor, 1-75 h.p. Suzuki motor, 1 Remington 22 cal. semi-auto, 1 Remington Model 788, 1 Stevens 410 gauge shotgun, 11 bullets, 4 commercial license, 1 custodian form, 10 boats-various kinds, 1 skiff.

Page (12)

S.W.E.P.

226 Engine Hours

80 Boats

TOTAL CITATIONS-182

130-Trawl In Closed Season

21-Four Rigging In Double Rig Zone

4-Allowed To Use Another's Commercial License

8-Trawl Inside Waters W/Oversized Double Rig (over 25 ')

3-Permit Unlicensed Person To Use Vessel License

2-Simple Assault

2-Resist Arrest

2-No Running Lights

1-No Commercial Gear License

1-No Commercial Vessel License

5-No Commercial Fish License

3-Permit Unlicensed Person To Use Gear License

CONFISCATIONS:

95 trawls, 34,118 lbs. shrimp and 475 lbs. of fish sold for \$71, 598.78.



Page (13)

AIRCRAFT PILOT

TOTAL CASES-47

35 oyster cases and 12 shrimp cases.

Page (14)

OYSTER STRIKE FORCE

TOTAL CASES-33

- 2-Take Oysters From Unapproved Area (polluted)
- 6-Take Oysters From Unleased State Water Bottom
- 1-Take Oysters Illegal Hours
- 1-Take Oysters From Private Lease
- 1-Take Oysters W/O Written Permission
- 8-Harvest Oysters W/O Oyster Harvester License
- 5-No Commercial License
- 3-Have No Vessel License
- 1-Have No Undersize Dredge Permit
- 1-Failure To Display Proper Number On Vessel
- 1-Littering
- 1-Have No Gear License
- 1-Permit Unlicensed Person To Operate Commercial Vessel
- 1-Boat Safety

CONFISCATIONS:

79 sacks of oysters, 1 boat, 1 motor, 1 oyster dredge.

TOTAL CASES ENFORCEMENT -2121

TOTAL CASES OTHER DIVISIONS - 268

TOTAL CASES S.W.E.P. - 182

TOTAL CASES OYSTER STRIKE FORCE- 33

TOTAL CASES AIRCRAFT - 42

GRAND TOTAL -2646

NOTICE OF INTENT

DEPARTMENT OF WILDLIFE AND FISHERIES  
WILDLIFE AND FISHERIES COMMISSION

TITLE 76  
WILDLIFE AND FISHERIES

PART VII. FISH AND OTHER AQUATIC LIFE

CHAPTER 1. FRESHWATER SPORT AND COMMERCIAL FISHING

SECTION 147. DAILY TAKE AND POSSESSION LIMITS FOR FRESHWATER TROUT

The Louisiana Wildlife and Fisheries Commission hereby advertises its intent to establish a daily take and possession limit of 5 fish for freshwater trout, Salvelinus spp. and Salmo spp., taken in waters designated as being part of the Department's Freshwater Trout Program.

Interested persons may submit written comments on the proposed rule to the following address before October 19, 1990: Bennie J. Fontenot, Jr., Administrator, Inland Fish Division, Louisiana, Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, LA 70898-9000.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6, 56:326.3, and Act No. 376 of 1990 Legislative Session.  
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16: ( ).

RULE

DEPARTMENT OF WILDLIFE AND FISHERIES  
WILDLIFE AND FISHERIES COMMISSION

TITLE 76  
WILDLIFE AND FISHERIES

PART VII. FISH AND OTHER AQUATIC LIFE

CHAPTER 1. FRESHWATER SPORT AND COMMERCIAL FISHING

SECTION 147. DAILY TAKE AND POSSESSION LIMITS FOR FRESHWATER TROUT

The Louisiana Wildlife and Fisheries Commission hereby establishes a daily take and possession limit of 5 fish for freshwater trout, Salvelinus spp. Salmo spp., taken in waters designated as being part of the Department's Freshwater Trout Program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6, 56:326.3 and Act 376 of 1990 Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16: ( ).



VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

Dear Mr. McInnis,

I have attached the letters and maps relative to closing hunting in most of Orleans Parish. I am suggesting that the Commission adopt a regulation prohibiting hunting in the area of Orleans Parish which lies West of Chef Menteur Pass and North of the Intracoastal Waterway. I have spoken to Mr. Terry Alarcorn in the mayor's office, and to Mr. Ray King with Councilman Johnny Jackson's office. Both told me that there is no problem with the proposal. Councilman Jackson is considering amending the current parish ordinance against firearms discharge to make all hunting in the specified area illegal.

I hope this can be brought up at the September Commission meeting, so that the regulation can be in effect for the October 1 opening of archery season.

Sincerely yours,

Captain Irvin "Sandy" Dares  
Region 8 Enforcement



VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
DISTRICT VIII  
400 ROYAL STREET  
NEW ORLEANS, LA 70130  
PHONE (504) 568-5667

BUDDY ROEMER  
GOVERNOR

18 JULY 1990

Dear Councilman Jackson,

Over the past few years, agents with the Enforcement Division of the Louisiana Department of Wildlife and Fisheries have received numerous complaints concerning illegal hunting in the New Orleans East area. Our men have also made numerous arrests for illegal hunting, particularly night hunting and illegal closed season hunting. Although we are aware of the existence of Parish Ordinance 42-54, which prohibits the discharge of firearms and hunting bows, we had been instructed that we did not have the authority as state law enforcement officers to enforce this ordinance. Also, it is difficult to actually witness a person discharge a firearm, as opposed to just seeing him hunt.

With the recent formation of the Bayou Sauvage Urban National Wildlife Refuge, and the anticipated increase in tourist and nature activities in the area, we feel there is increased potential for hunting accidents. Also, hunting in this area could be embarrassing to the city and to our agency. We would like to be able to enforce the parish ordinance, and to have it expanded or amended to prohibit all hunting.

Another aspect of this problem is that, since the Bayou Sauvage area encompasses the vast bulk of land West of Chef Menteur Pass, and since the only remaining areas suitable for hunting are privately owned and the owners have expressed to me their wish to have no hunting or trespassing on their lands, there should be practically no opposition to a hunting ban in this area. The only persons adversely impacted are those who are illegally hunting or discharging firearms, which is illegal anyway.

I have discussed a ban on hunting in this area with the following persons, all of whom have expressed their support: Mayor's Assistant Terry Alarcom, Bayou Sauvage Supervisor Howard Poitevint, Mr. Dick Luddington of the Nature Conservancy (owners of the 5,000 acre tract North of I - 10), Mr. Leon Raymond, Attorney for First Savings of Arkansas (owners of the Big Oak Island Tract, and Captain Clarence Hebert of N.O.P.D., 7th District Supervisor. I have enclosed letters from Mr. Poitevint and Mr. Frank Wait. Mr. Bob Thomas of the Louisiana Nature Center has also expressed his support.

With the above in mind, we would like to know if the parish ordinance could be amended to 1). Prohibit all hunting in the area described, and 2). Provide for the enforcement of the ordinance by commissioned employees of the Louisiana Department of Wildlife and Fisheries or any other State Law Enforcement Officer.

At present, we file our charges through Municipal Court, and are pleased with their prosecution of our citations. We hope under the ordinance to continue in this manner.

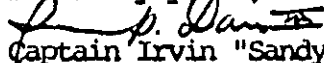
If it is not possible to accomplish the above, we would respectfully request a letter of support, and perhaps a parish resolution of support, for a Wildlife and Fisheries Commission regulation prohibiting hunting in this area. We could then charge violators under R.S. 56 : 115.

Our goal in this regard is for our men to be able to issue citations to anyone hunting in the areas of Orleans Parish described in the ordinance. It has been our experience that most persons hunting in these areas are trespassing at least, and usually breaking other laws as well. A hunting ban will help to provide a safe environment for the many outdoor recreational activities the Bayou Sauvage area will provide and attract, and will allow our agency to assist N.O.P.D. in keeping firearms use at a minimum.

If you need more information, or any other help, please let me know. The hunting season will begin on September 1, and we hope we can accomplish a ban and have it publicized before that date.

I deeply appreciate your time and help.

Sincerely yours,

  
Captain Irvin "Sandy" Dares

Supervisor, Region 8 Enforcement

Louisiana Department of Wildlife & Fisheries

P.S. Please consider setting a penalty appropriate to the offense, perhaps with increasing fines for subsequent offenses and possible forfeiture of firearms and bows used in the illegal hunting or discharge. This would discourage repeat offenders.





# Louisiana Nature & Science Center, Inc.

Located in Joe W. Brown Memorial Park  
P.O. Box 870610, New Orleans, LA 70187-0610, (504) 246-LNSC (5672)  
Delivery Address: 10601 Dwyer Road, New Orleans, LA 70127

July 23, 1990

## BOARD OF TRUSTEES

### Executive Committee

John D. Charbonnet,  
*President*  
Mathias P. Siebel,  
*First Vice President*  
Mrs. Darryl D. Berger,  
*Second Vice President*  
Charles E. Hamilton, III,  
*Secretary*  
Mablon D. Sanford,  
*Treasurer*  
J. Kelly Duncan  
W. Wayne Forman  
Mrs. Louis M. Freeman  
Mrs. Richard L. Simmons  
Mrs. James M. Baldwin, Jr.,  
*WINGS President*

Thomas L. Branigan  
Robert A. Bories  
Mrs. D. Kenneth Broadwell  
Mrs. James M. Cain  
Mrs. Gerald A. Derks  
Mrs. Valentine A. Earhart  
Eva V. Farley  
R. Thomas Fellers  
Michael K. Fitzpatrick  
Dr. Ronald J. French  
Richard S. Friedman  
Mrs. Louis L. Frierson  
Bessie Merie Gambel  
Mrs. Cyril P. Geary, III  
John F. Greene  
James O. Gundlach  
Donald O. Heumann, Jr.  
Mrs. Robert Howard  
Donald Hunter  
R. Parker LeCorgne  
Denis H. McDonald  
Mrs. Gordon B. McFarland, Jr.  
Mrs. W. Michael Mann  
Mark A. Mayer  
Hunter Pierson  
Wm. B. Reily, IV  
Garland Robinette  
Harry A. Rosenberg  
Florence Schornstein  
Mrs. Stanley Scott  
Mrs. Eli W. Tullis  
Robbert W. Vorhoff  
Tom Winingder  
Kit Wohl

### Executive Director

Robert A. Thomas, Ph.D.  
*Director of Development*  
Cynthia Farber, CFRE

### ADVISORY COMMITTEE

R. King Milling  
Mrs. Stanley McDermott, Jr.  
Donald J. Nalty  
Gregory M. St. L. O'Brien, Ph.D.  
Mrs. Nigel E. Rafferty  
H. Eustis Reily  
Mrs. Ernest L. Williamson

Mr. Sandy Dares  
Wildlife and Fisheries Enforcement Division  
400 Royal Street  
New Orleans, LA 70130

Dear Mr. Dares:

I am glad to hear that the Louisiana Wildlife and Fisheries is considering enforcing laws that prohibit hunting around the periphery of Bayou Sauvage National Wildlife Refuge.

Not only will such enforcement be important for the protection of wildlife, but also for the safety of visitors to the Refuge as well.

If I can be of help please do not hesitate to call.

Sincerely,

*Bob Thomas*

Robert A. Thomas, Ph.D.  
Executive Director

RAT/sp

# FIRST SAVINGS OF ARKANSAS

401 W. Capitol, Little Rock, AR 72201, 501/372-3200

July 2, 1990

Captain Sandy Dares  
Enforcement Division  
Louisiana Wildlife & Fisheries Commission  
400 Royal Street  
New Orleans, Louisiana 70130

RE: New Orleans East  
2,800 Acre Tract  
New Orleans, Louisiana

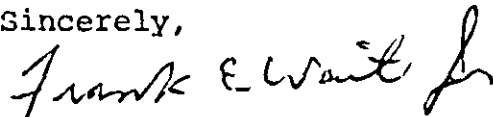
Dear Captain Dares:

Leon Reymond, Jr. requested I contact you regarding illegal hunting on our Big Oak Island Tract in East New Orleans. First Savings is opposed to the discharge of firearms and illegal hunting on its property. We will appreciate your office and/or the Sheriff's Department's assistance in curtailing violations.

First Savings reserves the right to enter into lease agreements for the legal trapping of animals, alligators, etc. but said leases would prohibit the use of weapons.

Please contact me if there is anything we can do to assist your efforts to rid the area of illegal hunting.

Sincerely,



Frank E. Wait, Jr.  
Vice President

FEW:nct





# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Bogue Chitto National Wildlife Refuge  
1010 Gause Boulevard, Building 936  
Slidell, Louisiana 70458

June 27, 1990

Ref: BCT-90-92

Captain Sandy Dares  
Enforcement Division  
Louisiana Department of Wildlife and Fisheries  
400 Royal Street  
New Orleans, Louisiana 70130

Dear Captain Dares:

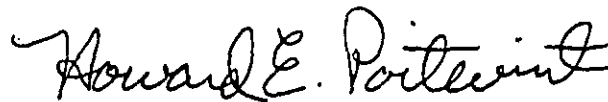
On April 25, 1990, Bayou Sauvage National Wildlife Refuge became the largest urban refuge in the United States. The acquisition of the 18,397 acre refuge had taken four years to become a reality and took considerable effort by individuals, local and national organizations, State and Federal agencies, and the Louisiana political delegation. The establishment of the refuge offers the challenge of a unique management situation. Law enforcement activities will need to be varied to curb violations on and off the refuge. For these activities to be successful, a cooperative effort will be needed at the local, State, and national level.

The U.S. Fish and Wildlife Service is in total support of a policy to be passed by the Wildlife and Fisheries Commission prohibiting hunting in Bayou Sauvage NWR and surrounding lands. To our knowledge, refuge neighbors concur with the passage of such a policy. The refuge and surrounding lands have trespass, illegal hunting, litter, and destruction of property problems. The area is easily accessible via I-10, U.S. Highway 11, U.S. Highway 90, and the Gulf Intracoastal Waterway; therefore, controlling egress and ingress for unauthorized uses is going to be a constant problem. Our law enforcement efforts will focus on high visibility patrols, undercover operations, and assistance through increased manpower.

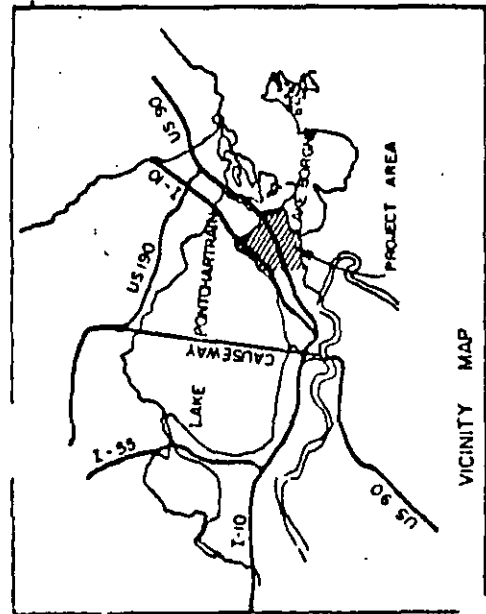
The legislation that Louisiana Wildlife and Fisheries is proposing will greatly enhance our law enforcement efforts. As funding becomes available, manpower and facilities will increase, as well as public use. The proposal will help the Service reach mandated objectives for the refuge. The required Master Planning process will begin as soon as funds are available. This process will address all aspects of refuge management and will produce the necessary information for effective law enforcement activities.

We appreciate the opportunity to address the policy the Commission is proposing, and totally support the position.

Sincerely,

A handwritten signature in cursive script, reading "Howard E. Poitevint". The signature is written in dark ink and is positioned above the printed name and title.

Howard E. Poitevint  
Project Leader



LAKE PONTCHARTRAIN

LEGEND

LEVEE

VEGETATION

BRACKISH MARSH

FRESH WATER MARSH

AQUATIC

TERRESTRIAL

1 2 3 4

5 6 7 8 9 10

11 12 13 14 15 16 17 18 19 20

21 22 23 24 25 26 27 28 29 30

31 32 33 34 35 36 37 38 39 40

41 42 43 44 45 46 47 48 49 50

51 52 53 54 55 56 57 58 59 60

61 62 63 64 65 66 67 68 69 70

71 72 73 74 75 76 77 78 79 80

81 82 83 84 85 86 87 88 89 90

91 92 93 94 95 96 97 98 99 100

101 102 103 104 105 106 107 108 109 110

111 112 113 114 115 116 117 118 119 120

121 122 123 124 125 126 127 128 129 130

131 132 133 134 135 136 137 138 139 140

141 142 143 144 145 146 147 148 149 150

151 152 153 154 155 156 157 158 159 160

161 162 163 164 165 166 167 168 169 170

171 172 173 174 175 176 177 178 179 180

181 182 183 184 185 186 187 188 189 190

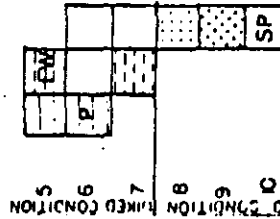
191 192 193 194 195 196 197 198 199 200

201 202 203 204 205 206 207 208 209 210

211 212 213 214 215 216 217 218 219 220

221 222 223 224 225 226 227 228 229 230

231 232 233 234 235 236 237 238 239 240



That part of the tract owned by South Pontchartrain, which will be included in the refuge (includes approx. 300 acres of inholdings)

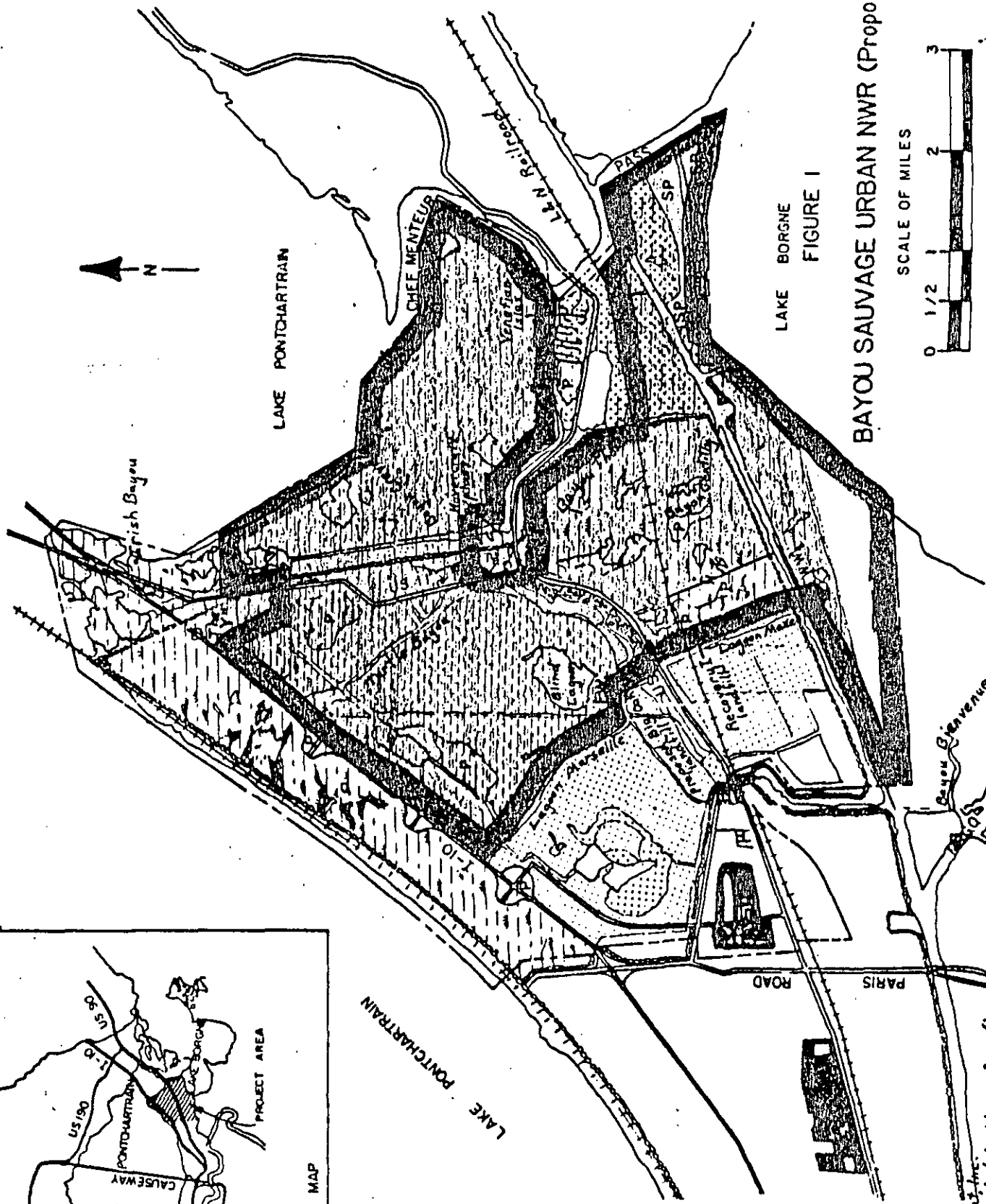


FIGURE 1

BAYOU SAUVAGE URBAN NWR (Proposed)

the Judges of the Municipal Court, be destroyed when it is no longer needed as evidence and all property found in use for such unlawful purposes having a value for other and lawful purposes shall be sold under the orders of the Court at public auction by a duly licensed auctioneer and the proceeds paid to the City Treasurer. Seized monies shall be transferred to the city funds to be used by the City of New Orleans in whatever manner the city deems desirable. (M.C.S., Ord. No. 6180, § 1, 12-9-76.)

#### ARTICLE V. OFFENSES AFFECTING THE PUBLIC GENERALLY.

##### Section 42-54. Discharging certain weapons prohibited; exceptions.

(A) It shall be unlawful for any person to fire or discharge in the Parish of Orleans any of the following weapons:

- (1) Any shotgun, rifle, firearm, or hunter's bows and arrows;
  - (2) Any air rifle or air pistol, or any weapon which can or is designed to or may readily be converted to expel a projectile by the action of any air pressure.
- (B) The provisions of this section shall not apply:
- (1) To public shooting galleries now lawfully established or hereafter established by Section 63-38 of the City of New Orleans, 1956;
  - (2) To licensed private shooting galleries authorized by the City of New Orleans;
  - (3) To target practice ranges or shooting galleries required and maintained by the New Orleans Police Department;
  - (4) To shooting galleries required and maintained on the premises of the National Aeronautics and Space Administration at Michoud;

(5) (a) To hunting that may occur in the area on the East Bank of the city bounded by the center of Chef Menteur Pass, the center of the Rigoles, the east shore of Lake Pontchartrain and the main shore of Lake Borgne, including all islands within one marine league distance of the latter;

(b) To hunting that may be carried on in the area on the East Bank of the city bounded on the west by the East Bank of the navigable stream known as the Michoud Cut, bounded on the north by the South Bank of the Intracoastal Waterway, bounded on the east by the northwest portion of the shore of Lake Borgne lying between the Western Tip of Chef Menteur Pass and the mouth of Bayou Bienvenue, and bounded on the south by the North Bank of Bayou Bienvenue;

(c) And the former naval ammunition depot situated on the West Bank of New Orleans, which is bounded by the Mississippi River, the Orleans Parish-Plaquemines Parish line, Woodland Highway and the other lines of said tract, and which does not violate any ordinance prohibiting criminal trespass.

(C) Such hunting also shall be subject to the regulations of the State Wildlife and Fisheries Commission and laws of this state, and only allowed if shotgun scatter shots of diameter or size No. 2 through size No. 10 are discharged in said permitted area not closer than three hundred (300) yards of any public place, public road, highway, street, residence, home or structure which is capable of being inhabited or occupied.

(1) To bow and arrow target practice sites and to bow and arrow tournaments authorized by the City of New Orleans. (M.C.S., Ord. No. 6180, § 1, 12-9-76.)

## RESOLUTION

Louisiana Department of Wildlife and Fisheries

Louisiana Wildlife and Fisheries Commission

*Jefferson - Orleans Line*

- WHEREAS, That portion of Orleans Parish East of the ~~Industrial Canal~~, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal and
- WHEREAS, This portion of Orleans Parish is included in city municipal ordinances that prohibit the discharge of all firearms and
- WHEREAS, The newly formed Bayou Sauvage National Wildlife Refuge lies within this section of Orleans Parish and will prohibit all hunting activities for resident and migratory game and
- WHEREAS, This area in and around the Bayou Sauvage National Wildlife Refuge will soon be a popular area used by citizens for fishing, camping, nature study and other outdoor recreational purposes and
- WHEREAS, The Refuge will provide an outdoor setting for enjoyment of family oriented activities particularly for children and older adults and
- WHEREAS, Existing small tracts of wooded land bordering the Refuge and city subdivisions will only provide an enforcement dilemma and
- WHEREAS, The U. S. Fish and Wildlife Service and the New Orleans Police Department support correcting this situation before someone is injured and
- WHEREAS, This area of Orleans Parish, in the judgement of the Department of Wildlife and Fisheries, is not a safe or proper environment for hunting activities to take place, now
- THEREFORE BE IT RESOLVED that this portion of Orleans Parish described herein shall be closed to all hunting, shooting, taking or killing by any means or device all resident and migratory game until further notice.

RULE  
WILDLIFE AND FISHERIES COMMISSION

TITLE 76  
WILDLIFE AND FISHERIES

PART VII. FISH AND OTHER AQUATIC LIFE

CHAPTER 5. OYSTERS

SECTION 507. Public Oyster Seed Ground - Vermilion, East and West Cote Blanche and Atchafalaya bays.

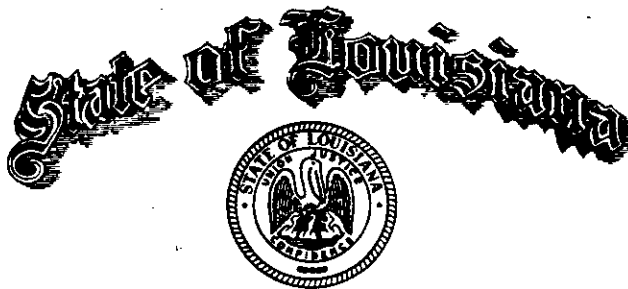
The Vermilion, East and West Cote Blanche, and Atchafalaya Bay Public Oyster Seed Ground is described as that portion of state waterbottoms beginning at a point of land on the southwest side of Southwest Pass, (y-335554.00) (x-1,774,683.00), thence S 31 54 44 E 4300.4 feet to Lighthouse Point on the southeast side of Southwest Pass and the most westerly point of Marsh Island (y-331,903.69) (x-1,776,956.24), thence along the south shoreline of Marsh Island to the point known as South Point (y-298,750.40) (x-1,863,189.50) thence S 74 10 18 E 5278.6 feet to a platform (y-284,352.82) (x-1,913,973.65) thence S 68 18 41 E 75,154.9 feet to Eugene Island (y-256,578.31) (x-1,983,808.02) thence S 35 17 41 E 17,453.6 feet to Point Au Fer (y-242,332.84) (x-1,993,892.44) thence along the southeastern shoreline of Atchafalaya Bay to South Point (y-257,413.00) (x-2,031,117.00) thence N 29 36 41 E 7455.7 feet to the north bank of Four League Pass (y-263,895.00) (x-2,034,801.00) thence along the eastern shoreline of Atchafalaya Bay to the east bank of the Atchafalaya River (y-294,175.00) (x-2,020,925.00) thence N 80 57 36 W 6001.5 feet to the west bank of the Atchafalaya River (y-295,118.00) (x-2,014,998.00) thence along the north shoreline of Atchafalaya Bay to Belle Isle Point (y-312,510.00) (x-1,969,990.00) thence following the shoreline of New Pass to a point on the west bank of New Pass (y-318,375.00) (x-1,967,345.00) thence westerly along the North shoreline



of Atchafalaya Bay to Point Chevreuil (y-309,951.00) (x-1,930,415.00) thence  
 northerly along the shoreline of East Cote Blanche Bay to Point Marone  
 (y-352,112.00) (x-1,898,410.00) thence northerly along the east shoreline of West  
 Cote Blanche Bay to the East side of the Jaws (y-389,415.00) (x-1,909,020.00)  
 thence N 64 01 41 W 4407.1 feet to the west side of the Jaws (y-391,345.00)  
 (x-1,905,058.00) thence westerly along the north shoreline of West Cote Blanche  
 Bay to Cypremort Point (y-380,726.00) (x-1,826,461.00) thence northerly along  
 the east shoreline of Vermilion Bay to Little Mud Point (y-412,498.00)  
 (x-1,836,480.00) thence in a southerly direction along the shoreline of Weeks  
 Bay to the east bank of Shark Bayou (y-403,692.00) (x-1,840,583.00) thence  
 northerly along the east shore of Weeks Bay to a point at the Mouth of Bayou  
 Carlin (y-422,780.00) (x-1,841,195.00) thence westerly along the north shoreline  
 of Vermilion Bay to Mud Point (y-382,749.00) (x-1,741,026.00) thence continue  
 along the shoreline to a point at the southeast corner of Little White Lake  
 (y-395,495.00) (x-1,738,384.00) thence along the shoreline of Little White Lake  
 to Buck Point (y-391,673.00) (x-1,736,065.00) thence continue along the shoreline  
 to Redfish Point (y-375,420.00) (x-1,786,260.00) thence southerly along the west  
 shoreline of Vermilion Bay to a point at the mouth of Hog Bayou (y-346,604.00)  
 (x-1,752,950.00) thence along the shoreline of Hell Hole to a point at the  
 northeast corner of Hell Hole (y-347,496.00) (x-1,755,604.00) thence easterly  
 along the shoreline of Vermilion Bay to Indian Point (y-352,201.00)  
 (x-1,777,875.00) thence southerly along the shoreline of Vermilion Bay and  
 Southwest Pass to the Gulf and the point of beginning.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:434  
 HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries,  
 Wildlife and Fisheries Commission LR 16 : ( )  
 ).

Warren Pol  
 Chairman



VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

August 27, 1990

Warren I. Pol, Chairman  
Wildlife and Fisheries Commission  
Post Office Box 64617  
Baton Rouge, LA 70896

RE: Commission/Department Authority; A. G. Opinion #75-752

Dear Mr. Pol:

I have been requested to give my opinion of the law relating to the respective authorities of the Commission and the Department specifically in light of Attorney General's Opinion 75-752 which was issued on August 5, 1975. The specific language in the opinion, which I have been asked to address, reads as follows:

"L.R.S. 56.5 and 56.6 provide the general powers and duties of the Wildlife and Fisheries Commission. Both of the above-cited statutes begin with the language "the Commission, through its director. . .". The Director is thus the instrumentality through which the Commission acts; however, at all times, his actions must reflect the policies of the Commission. The Commission members have the authority and the responsibility to establish the policy and the guidelines of the Commission. Such policy must, however, be in accordance with the statutory framework which established the Wildlife and Fisheries Commission.

Since the Director is the executive officer of the Commission, his function is to conduct the affairs of his office within the scope of the policies and guidelines the Commission adopts. If he fails in this function, or exceeds his authority, the Commission may limit his authority and, or, his actions by resolution."

Article IX, Section 7 of the 1974 Constitution provides for the Commission as follows, in pertinent part:

## Section 7. Wildlife and Fisheries Commission

(A) The control and supervision of the wildlife of the state, including all aquatic life, is vested in the Louisiana Wildlife and Fisheries Commission.

X X X

(B) Duties; Compensation. The functions, duties, and responsibilities of the commission, and the compensation of its members, shall be provided by law.

The specific legislative grants of authority are contained in Title 56, Sections 1 and following. The various sections in Title 56 contain provisions which predated the 1974 Constitution, provisions which are statutory recodifications of provisions from the 1921 Constitution, and provisions which have been enacted since the 1974 Constitution. Many of these sections or their subsections have been amended throughout the years.

Article IV of the 1974 Constitution provides for the executive branch of state government. Section 1(B) of this Article provides that all offices, agencies, and other instrumentalities of the executive branch and their functions, powers, duties and responsibilities shall be allocated according to function within now more than twenty departments.

As a result of this provision, the Executive Reorganization Act- No. 720 - of 1975 was passed. It has been subsequently reenacted as Act 83 of 1977. In accordance with the above constitutional provision, it established the twenty executive branch departments including the Department of Wildlife and Fisheries whose officers, powers, duties, and functions are set out at R.S. 36:602 and following.

At Section 601, Article IX, Section 7 of the Constitution, relative to the Commission, is restated. Section 610(B) provides that the Commission along with five other commissions and game and fish preserves are transferred to and established with the Department, as provided in Section 802. This Section provides that all such agencies thereby transferred, including the Commission, shall continue to exercise all of the powers, duties, functions and responsibilities provided or authorized by the Constitution or laws which are in the nature of policymaking, rulemaking, licensing regulation, enforcement, or adjudication, and shall continue to exercise all advisory powers, duties, functions and responsibilities provided by law. These powers are to be exercised independently of the Secretary, except that the Secretary shall exercise all powers, duties, functions, and responsibilities necessary for the administration and implementation of the policies, rules and decisions of the agency so transferred, including the employing, appointing, removing, and promoting of necessary personnel.

Section 602 creates the department and provides that it shall control and supervise all fish and wildlife of the state, and shall execute the laws enacted for the control and supervision of programs relating to the management, protection, conservation, and replenishment of fish and wildlife as well as all renewable resources on all management areas, refuges, scenic rivers and preserves.

Section 604 provides for the Secretary of the Department, who shall be appointed by the Governor, and shall serve at his pleasure. This section provides that the Secretary shall have the responsibilities for the policies of the Department, and for the administration, control, and operation of the functions, programs, and affairs of the Department under the general control and supervision of the Governor.

Section 605 sets out the powers and duties of the Secretary. In addition to other specific powers provided, this section states that the Secretary shall organize, plan, supervise, direct, administrate, execute and be responsible for the functions and programs vested in the Department. Other specific powers include the employment of personnel and the enforcement of the wildlife and fisheries laws. The remaining sections of the chapter set out the officers and duties of the Deputy Secretary, Undersecretary, Assistant Secretaries, and their respective offices.

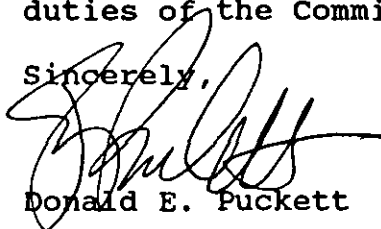
Two apparent conflicts appear. The first conflict appears between Section 601 relative to the Commission and Section 602 relative to the Department, both sections referring to control and supervision of the fish and wildlife of the state, with neither section making reference to the other entity. The second conflict appears between Sections 605 et seq. which bestows both general and specific powers upon the officers of the Department, and 56:6 which bestows special powers and duties upon the Commission through its Secretary. Although specific subsections have been added to R.S. 56:6 throughout the years up to and including the last legislative session, the original language of this section was enacted in 1954. See Act No. 581. Thus, in order to resolve conflicts between 56:6 and 36:605 et seq., it will be necessary to examine these various powers and duties on a case-by-case basis, and in accordance with a determination of which endowment of authority was the latest expression of the legislative will and/or the other rules of statutory construction. It would appear that any power granted to the Secretary under Section 605 would be solely her area of jurisdiction to be exercised independently and subject only to the general control and supervision of the Governor unless that specific power or duty has, through an enactment subsequent to Section 605, been granted to the Commission through 56:6 or another provision of law.

In any event, there appear to be a number of areas which are again generally set out in Section 605 which are the exclusive province of the Secretary. In these areas, it is my opinion that the general statement contained in Opinion 75-752 would not obtain, that is, in those such areas, she would not be bound to conduct the affairs of her office within the scope of the policies and guidelines of the Commission, but would rather perform her functions under the overall control and supervision of the governor.

By the same token, there are obviously a number of specific grants of power which remain the exclusive province of the Commission. As stated, these are set out throughout Title 56 and grant broad powers to the Commission relative to the management, conservation, and protection of fish and wildlife resources. These include the setting of the various seasons for fish and game and the promulgation of rules and regulations regulating the harvest and management of fish and wildlife. With regard to these such powers, it is my opinion that the general statement contained in 1975 Attorney General's Opinion does obtain, that is, that the Secretary is bound to follow the policies and guidelines the Commission adopts. Thus, the opinion is partially correct, but, in my opinion, is deficient in that it fails to acknowledge those powers specifically relegated to the Secretary per Section 602 et seq.

As stated earlier, questions concerning specific grants of authority will have to be determined on a case-by-case basis in accordance with the rules of statutory construction. In closing, I will state that the Constitutional Convention and subsequent legislatures have not made deciphering these issues an easy task; however, I believe this analysis to be the most reasonable reading of the laws setting out the respective functions and duties of the Commission and Department.

Sincerely,



Donald E. Puckett

cc: Virginia Van Sickle  
Jimmy Jenkins

AGENDA  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
MONTELEONE HOTEL  
NEW ORLEANS, LOUISIANA  
SEPTEMBER 6-7, 1990

1. Roll Call
2. Approval of Minutes of August 9-10, 1990
3. National Wild Turkey Federation Cooperative Agreement - Danny Timmer
4. Declaration of Emergency and Notice of Intent/DMAP Regulations to Address 1990 Legislation - Dave Morrison
5. District Attorney's Disposition Report - Kell McInnis
6. HB 1265 (Act 899) Class 1 Violation Modification - Kell McInnis
7. Declaration of Emergency - Bayou Sauvage / Orleans Parish - Enforcement of Parish Hunting Ordinance and/or Total Closure of Hunting Season for Certain Areas in Orleans Parish - Kell McInnis
8. Spotted Seatrout Sampling Results - Update - Jerry Clark
9. August Shrimp Season Report - Phil Bowman
10. Ratification of Public Oyster Seed Grounds - Vermilion, East and West Cote Blanche and Atchafalaya Bays - Ron Dugas
11. Notice of Intent - Daily Bag and Possession Limit for Freshwater Trout - Jerry Clark
12. Update on Inshore Artificial Reef Program - Dr. Charles Wilson
13. Monthly Enforcement Report - Winton Vidrine
14. New Orleans Property - Surplus and Sale (Friday Only) - Virginia Van Sickle
15. Secretary's Report to the Commission - Virginia Van Sickle

OTHER BUSINESS:

PUBLIC COMMENTS:

# Louisiana Department of Wildlife and Fisheries

## NEWS RELEASE

VIRGINIA VAN SICKLE  
Secretary

90-127



CONTACT  
(504) 765-2917

9/5/90

### REVISED AGENDA FOR SEPTEMBER LWF COMMISSION MEETING

The Louisiana Wildlife and Fisheries Commission will meet at 2 p.m. Thursday, Sept. 6, in the New Orleans East Room of the Monteleone Hotel at 214 Rue Royale in New Orleans.

At 9 a.m. on Friday, Sept. 7, the meeting will continue in the Queene Ann Parlor of the hotel. The following items will be on the agenda:

1. Roll call.
2. Approval of the minutes of Aug. 9-10.
3. National Wild Turkey Federation Cooperative Agreement.
4. Declaration of emergency and notice of intent -- DMAP regulations to address 1990 legislation.
5. District Attorney's disposition report.
6. HB 1265 (Act 899) Class 1 violation modification.
7. Declaration of emergency -- Bayou Sauvage/Orleans Parish -- enforcement of parish hunting ordinance and/or total closure of hunting season for certain areas in Orleans Parish.
8. Update on spotted seatrout sampling results.
9. August shrimp season report.
10. Notice of intent -- daily bag and possession limit for freshwater trout.
11. Update of Inshore Artificial Reef Program.
12. Ratification of public oyster seed grounds -- Vermilion, East and West Cote Blanche and Atchafalaya Bays.
13. Monthly law enforcement report.
14. New Orleans property -- surplus and sale (Friday only.)
15. Secretary's report to the Commission.

OTHER BUSINESS.  
PUBLIC COMMENTS.

LOUIDIANA WILDLIFE AND FISHERIES COMMISSION MEETING  
NEW ORELANS, LA  
SEPTEMBER 6-7, 1990

FACTS SHEET:

Meeting held in conjunction of International Association of Fish and Wildlife Agencies meeting being hosted by the LA Department of Wildlife and Fisheries starting on September 7, 1990.

Hotel: Monteleone Hotel  
214 Royal Street  
New Orleans, LA 70130  
(504) 523-3341  
Contact Person: Mr. B. J. Pecoraro

Reservations: Warren Pol - Sept. 6 (Thursday) *Cancel / Dawn Debone*  
✓ Don Hines - September 6-8 (Thursday thru Saturday night) *O.K.*  
Jimmy Jenkins - Sept. 6 (Thursday) *Cancel later*  
Bert Jone - Sept. 6 (Thursday) *Cancel*  
Norman McCall - Sept. 6 (Thursday) *Cancel*  
Joe Palmisano - Sept. 6 (Thursday) *change to Houston Foret*

All reservations were made for singles except Dr. Hines double. Rate is \$70.00 single and \$78 double. Arrangements have been made for meeting rooms at a rate of \$75 per day. All other department personnel who are attending Commission meeting will make own reservations.

*Cancellation #  
811821*

*Cancel  
Pol / Debone  
Jenkins  
Jones  
McCall*

*Change Palmisano To Foret (504-594-2067)*

~~*Thibodeaux  
Anna Mae Thibodeaux*~~

*Anna Mae Thibodeaux*

*Thursday New Orleans Cat Room  
Friday Queen Ann Parlor*



September 4, 1990

AMENDED AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Commission will be at 2:00 p.m. on Thursday, September 6th, 1990, at the Monteleone Hotel, New Orleans East Room, 214 Rue Royale, New Orleans, Louisiana.

On Friday, September 7th, 1990, the meeting will be continued at the same location at 9:00 a.m. in the Queen Ann Parlor.

The following will be on the agenda:

1. Roll Call
2. Approval of Minutes of August 9-10, 1990
3. National Wild Turkey Federation Cooperative Agreement
4. Declaration of Emergency and Notice of Intent - DMAP Regulations to Address 1990 Legislation
5. District Attorney's Disposition Report
6. HB 1265 (Act 899) Class 1 Violation Modification
7. Declaration of Emergency - Bayou Sauvage/Orleans Parish- Enforcement of Parish Hunting Ordinance and/or Total Closure of Hunting Season for Certain Areas in Orleans Parish
8. Spotted Seatrout Sampling Results - Update
9. August Shrimp Season Report
10. Ratification of Public Oyster Seed Grounds - Vermilion, East and West Cote Blanche and Atchafalaya Bays
11. Notice of Intent - Daily Bag and Possession Limit for Freshwater Trout
12. Update On Inshore Artificial Reef Program
13. Monthly Enforcement Report
14. New Orleans Property - Surplus and Sale (Friday Only)
15. Secretary's Report to the Commission

OTHER BUSINESS:

PUBLIC COMMENTS:

# Louisiana Department of Wildlife and Fisheries

## NEWS RELEASE

VIRGINIA VAN SICKLE  
Secretary



CONTACT  
(504) 765-2919

90-126

8/30/90

### AMENDED AGENDA FOR COMMISSION MEETING

The Louisiana Wildlife and Fisheries Commission will meet at 2 p.m. Thursday, Sept. 6, in the New Orleans East Room of the Monteleone Hotel at 214 Rue Royale in New Orleans. At 9 a.m. Friday, Sept. 7, the meeting will continue in the hotel's Queen Anne Parlor. The following items will be on the agenda:

1. Roll call.
2. Approval of minutes of Aug. 9-10.
3. National Wild Turkey Federation cooperative agreement.
4. Declaration of emergency and notice of intent - DMAP regulations to address 1990 legislation.
5. District Attorney's disposition report.
6. HB 1265 (Act 899) Class 1 violation modification.
7. Declaration of emergency - Bayou Sauvage/Orleans Parish - enforcement of parish hunting ordinance and/or total closure of hunting season for certain areas in Orleans Parish.
8. Update on spotted seatrout sampling results.
9. August shrimp season report.
10. Notice of intent - daily bag and possession limit for freshwater trout.
11. Update on Inshore Artificial Reef Program.
12. Ratification of public oyster seed grounds - Vermilion, East and West Cote Blanche and Atchafalaya Bays.
13. Monthly law enforcement report.
14. Secretary's report to the commission.

OTHER BUSINESS.  
PUBLIC COMMENTS.



\*\*\*\*\*  
\*\*\* ACTIVITY REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO.

0415

CONNECTION TEL

86215668

CONNECTION ID

START TIME

08/31 12:35

USAGE TIME

00'45

PAGES

2

RESULT

OK

P. O. Box 98000  
Baton Rouge, LA 70898-9000  
504/765-2800

OFFICE OF FISHERIES  
PHONE (504) 765-2801

TELECOMMUNICATION TRANSMITTAL SHEET

TO: <i>Patty H.</i> <i>N.O. Office</i>	DATE: <i>8-31-90</i>  TIME: <i>12:30</i>	NUMBER OF PAGES FOLLOWING:  <u>1</u>
---	--	---

FROM: *Sharyn B.*  
*B.R. Office*

SUBJECT:  
  
*Agenda*

SHOULD YOU HAVE QUESTIONS, PLEASE CALL (504) 765-2801

MESSAGES: *Amended Agenda for meeting. Disregard  
Other Agenda. Post this one.*

August 30, 1990

APPROVED: JS

AMENDED AGENDA FOR SEPTEMBER COMMISSION MEETING

The next regular public board meeting set by the Louisiana Wildlife and Fisheries commission is scheduled for 2 p.m. on thursday, September 6, in the New Orleans East Room, of the Monteleone Hotel at 214 Rue Royale in New Orleans.

At 9 a.m. on Friday, September 7, the meeting will continue in the Queene Ann Parlor of the hotel.

The following will be on the agenda:

1. Roll Call.
2. Approval of minutes of Aug. 9-10.
3. National Wild Turkey Federation Cooperative Agreement.
4. Declaration of emergency and notice of intent -- DMAP regulations to address 1990 legislation.
5. District Attorney's disposition report.
6. HB 1265 (Act 899) Class 1 violation modification.
7. Declaration of Emergency - Bayou Sauvage/Orleans Parish -- enforcement of parish hunting ordinance and/or total closure of hunting season for certain areas in Orleans Parish.
8. Update on spotted seatrout sampling results.
9. August shrimp season report.
10. Notice of intent, daily bag and possession limit for freshwater trout.
11. Update on Inshore Artificial Reef Program.
12. Ratification of public oyster seed grounds -- Vermilion, East and West Cote Blanche and Atchafalaya Bays.
13. Monthly law enforcement report.
14. Secretary's report to the Commission

OTHER BUSINESS:  
PUBLIC COMMENTS:

August 29, 1990

APPROVED VVS

#### AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Commission will be at 2:00 p.m. on Thursday, September 6th, 1990, at the Monteleone Hotel, New Orleans East Room, 214 Rue Royale, New Orleans, Louisiana.

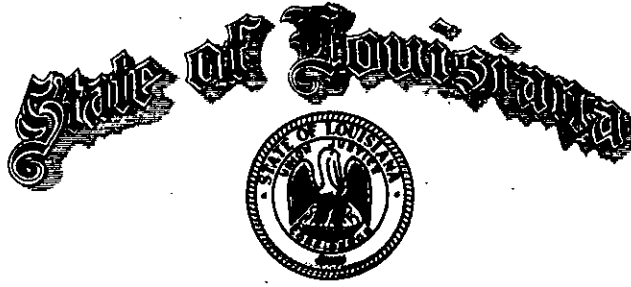
On Friday, September 7th, 1990, the meeting will be continued at the same location at 9:00 a.m. in the Queen Ann Parlor.

The following will be on the agenda:

1. Roll Call
2. Approval of Minutes of August 9-10, 1990
3. National Wild Turkey Federation Cooperative Agreement
4. Declaration of Emergency and Notice of Intent - DMAP Regulations to Address 1990 Legislation
5. District Attorney's Disposition Report
6. HB 1265 (Act 899) Class 1 Violation Modification
7. Bayou Sauvage /Orleans Parish - Enforcement of Parish Hunting Ordinance / Closure of Hunting Season for Certain Areas in Orleans Parish
8. Spotted Seatrout Sampling Results - Update
9. August Shrimp Season Report
10. Notice of Intent - Daily Bag and Possession Limit for Freshwater Trout
11. Ratification of Public Oyster Seed Grounds - Vermilion, East and West Cote Blanche and Atchafalaya Bays
12. Monthly Law Enforcement Report
13. Secretary's Report to the Commission

OTHER BUSINESS:

PUBLIC COMMENTS:



VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

August 6, 1990

M E M O R A N D U M

TO: Deputy Secretary, Assistant Secretary Office of  
Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle *VVS*

RE: Commission Meeting Agenda - September 6-7, 1990

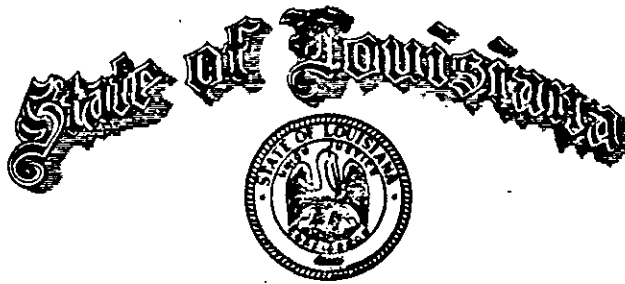
Please write on the bottom of this memo and return to Sharyn Bateman by Monday, August 20th, any agenda items your Office may have for the September 6-7, 1990, Commission meeting to be held in New Orleans, Louisiana, Monteleone Hotel. If you do not have anything for the agenda, please return memo and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

C: Don Puckett  
Bob Dennie



VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

August 6, 1990

M E M O R A N D U M

TO: Deputy Secretary, Assistant Secretary Office of  
Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle *VVS*

RE: Commission Meeting Agenda - September 6-7, 1990

Please write on the bottom of this memo and return to Sharyn Bateman by Monday, August 20th, any agenda items your Office may have for the September 6-7, 1990, Commission meeting to be held in New Orleans, Louisiana, Monteleone Hotel. If you do not have anything for the agenda, please return memo and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

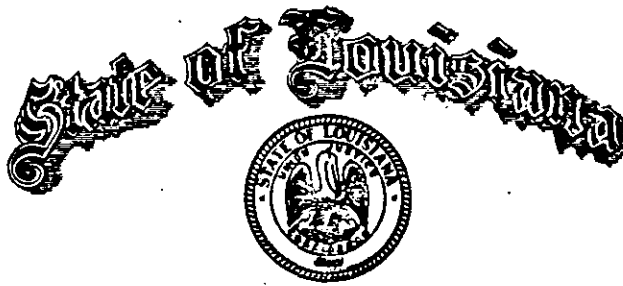
Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

C: Don Puckett  
Bob Dennie





VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 88000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

August 6, 1990

M E M O R A N D U M

TO: Deputy Secretary, Assistant Secretary Office of  
Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle VVS

RE: Commission Meeting Agenda - September 6-7, 1990

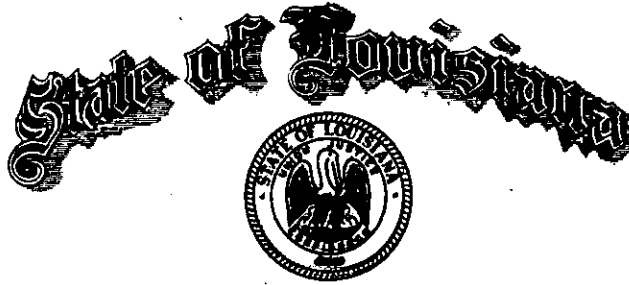
Please write on the bottom of this memo and return to Sharyn Bateman by Monday, August 20th, any agenda items your Office may have for the September 6-7, 1990, Commission meeting to be held in New Orleans, Louisiana, Monteleone Hotel. If you do not have anything for the agenda, please return memo and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

C: Don Puckett  
Bob Dennie



VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

June 11, 1990

TO: Bettsie Baker  
FROM: Sharyn Bateman  
RE: September Commission Meeting - New Orleans

Bettsie, as you know the September Commission Meeting has been scheduled to be held in New Orleans on September 6-7, 1990. I have engaged meeting rooms at the Monteleone Hotel and you will be receiving a contract. I have already made reservations for the Commission members for the night of the 6th and should rooms need to be canceled we have until 4 pm on the 6th to do so.

These dates coincide with the International meeting that Louisiana will be hosting which will begin on the 7th of September. Usually when there is a commission meeting out of town a rooming list is sent to the hotel and reservations are made for department personnel who are attending the meeting. Because of the situation with the International meeting some of the personnel will only be attending the Commission meeting while others will be attending both meetings and it would be less complicated if those who are planning to attend the Commission meeting make their own reservations for the night of the 6th. When making their reservations those who are planning to attend the International will need to establish this fact and by doing so they shouldn't have to change rooms since they should be put in one of rooms that are being blocked out for department personnel. Their names should be on the International rooming list that will be sent to the Monteleone from the department.

I would appreciate it if you would announce at the next staff meeting that those planning to attend the September Commission meeting make their own reservations for the night of the 6th and if they are staying over for the International meeting to advise the person taking their reservations. If you have any questions please let me know. Thanks!

Rooming List for Thursday, September 6th  
The Monteleone Hotel  
214 Royal Street  
New Orleans, LA 70130  
504/523-3341  
B. J. Pecoraro

Warren Pol  
Jimmy Jenkins  
Bert Jones  
Don Hines  
Norman McCall

*made Reservations - 6-11-90*

Virginia Van Sickle\*  
Jerry Clark  
Kell McInnis (King, Non-smoking)\*  
Bettsie Baker\*

Hugh Bateman  
Bennie Fontenot  
Johnnie Tarver\*  
Bob Dennie\*  
Winton Vidrine  
Karen Foote  
Don Puckett  
Wade Byrd\*

\* Will be attending the International meeting September 7-11

September 6-7, 1990  
New Orleans

ROOMING LIST FOR COMMISSION MEETINGS WHEN OUT OF TOWN

Warren Pol *male reservation*  
Jimmy Jenkins  
Bert Jones  
Don Hines  
~~Joe Palmisano~~  
Norman McCall  
Pete Vujnovich

Room @ ~~Reynold~~ Montelone

Virginia Van Sickle  
Wade Byrd ~~to~~ *No Room*  
Jerry Clark  
Kell McInnis (King-Non smoking)  
\* Bettie Baker (Ch w/ Janette) attending Inter. Ch. on 7th  
  
\* Hugh Bateman  
Bennie Fontenot  
Johnnie Tarver  
Carla Faulkner/Dawn DeBoen  
Winton Vidrine  
Karen Foote  
James Manning  
Don Puckett

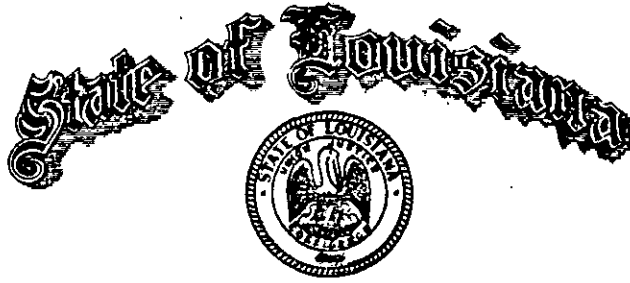
TOTAL OF 21 - ~~60~~

Meeting Room - Montelone Hotel (504) 323-3341  
Thursday - Sept. 6 - 75 people  
Friday - Sept. 7 - 25 people

Mr. Pecararo:

Send Contract to Bettie Baker

will be attending International



VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 96000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

August 6, 1990

M E M O R A N D U M

TO: Deputy Secretary, Assistant Secretary Office of Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle *VVS*

RE: Commission Meeting Agenda - September 6-7, 1990

Please write on the bottom of this memo and return to Sharyn Bateman by Monday, August 20th, any agenda items your Office may have for the September 6-7, 1990, Commission meeting to be held in New Orleans, Louisiana, Monteleone Hotel. If you do not have anything for the agenda, please return memo and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

C: Don Puckett  
Bob Dennie

*Nothing for Habitat Conservation*  
*Johnnie Puckett*

AUG 06 1990  
FBI BATON ROUGE

**OFFICE OF FISHERIES**  
Routing Slip

Out: 8/20  
Due: \_\_\_\_\_  
In: \_\_\_\_\_

Office of Secretary:		Inland Fish Division:		Marine Fish Division:		Research Division:	
TO:	FROM:	TO:	FROM:	TO:	FROM:	TO:	FROM:
Van Sickle		X Clark		Clark		Clark	
McInnis		Fontenot X		Foots		Barrett	
Clark		Lee		Perret		Boudreaux	
Baker		Williams		Bowman		Arnoldi	
Byrd		Brassette		Roussel		Tillyou	
Puckett				Dugas		Shepard	
Callais							

Action:

- \_\_\_\_\_ Please see me about this matter \_\_\_\_\_.
- \_\_\_\_\_ For your information.
- \_\_\_\_\_ Take appropriate action.
- f   For review and/or approval.
- \_\_\_\_\_ Please look into this matter and prepare a written response for my or VVS signature and return a copy of your reply for filing.
- \_\_\_\_\_ within 72 hours
- \_\_\_\_\_ within 5 days

Comments?

\*\*\*\*\*

Note:

Do you want to put attached items on Commission Meeting agenda? Please let me know. Thanks.

\*\*\*\*\*

Response:

---

---

---

---

---

Fontenot



VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

August 6, 1990

MEMORANDUM

TO: Deputy Secretary, Assistant Secretary Office of Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle *VVS*

RE: Commission Meeting Agenda - September 6-7, 1990

Please write on the bottom of this memo and return to Sharyn Bateman by Monday, August 20th, any agenda items your Office may have for the September 6-7, 1990, Commission meeting to be held in New Orleans, Louisiana, Monteleone Hotel. If you do not have anything for the agenda, please return memo and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

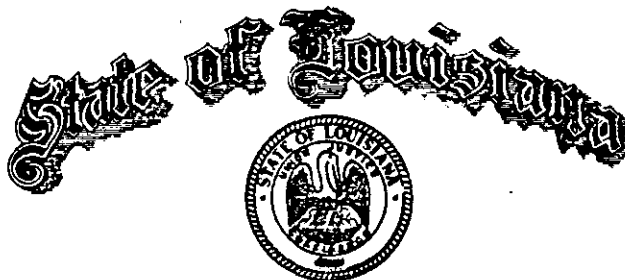
*Proposed Commission Agenda: Bureau of Fisheries, Shuland Fish Div.*

VVS/sb

C: Don Puckett  
Bob Dennie

- 1) Approval of tilapia for ~~domestic~~ fish farming*
- 2) notice of intent - Daily bag and possession limit for freshwater trout, salmo spp. cub. salvelinus spp.*
- RECEIVED  
LA. DEPT. OF WILDLIFE & FISHERIES  
AUG 14 1990  
FISH DIV.*

Bateman



VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 785-2800

BUDDY ROEMER  
GOVERNOR

August 6, 1990

M E M O R A N D U M

TO: Deputy Secretary, Assistant Secretary Office of Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickie *VVS*

RE: Commission Meeting Agenda - September 6-7, 1990

Please write on the bottom of this memo and return to Sharyn Bateman by Monday, August 20th, any agenda items your Office may have for the September 6-7, 1990, Commission meeting to be held in New Orleans, Louisiana, Monteleone Hotel. If you do not have anything for the agenda, please return memo and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

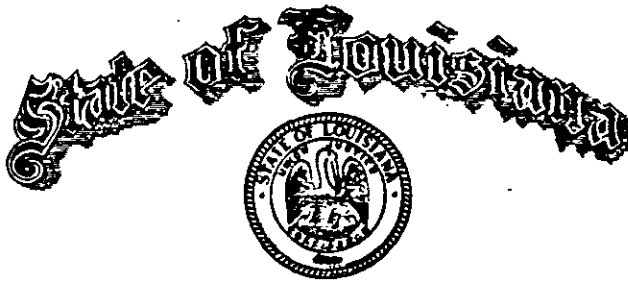
C: Don Puckett  
Bob Dennie

*1889-90*  
*1- Report on DMAR - H. Bateman*  
*C. Vienne*

*Put First*  
*2- National Wild Turkey Federation*  
*Cooperative Agreement - [Signature]*

*(Thursday only)* *H. Bateman*  
*D. Timmer*





RECEIVED

LA. DEPARTMENT OF  
WILDLIFE & FISHERIES

AUG - 6 1990

ASSISTANT SECRETARY  
OFFICE OF FISHERIES

VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

August 6, 1990

*Bennie  
Karen  
Claude  
Barney  
return by  
Friday, 8/17*

MEMORANDUM

TO: Deputy Secretary, Assistant Secretary Office of  
Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle *VVS*

RE: Commission Meeting Agenda - September 6-7, 1990

Please write on the bottom of this memo and return to Sharyn Bateman by Monday, August 20th, any agenda items your Office may have for the September 6-7, 1990, Commission meeting to be held in New Orleans, Louisiana, Monteleone Hotel. If you do not have anything for the agenda, please return memo and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

*Maine Fisheries - agenda items*

VVS/sb

C: Don Puckett  
Bob Dennie

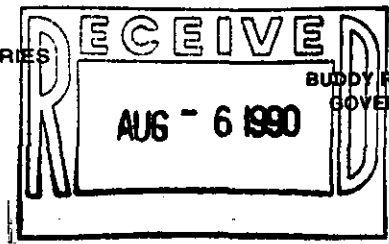
*- ~~page states spotted seatrout population~~  
- spotted seatrout sampling results - update - Jerry  
- August shrimp season report - Phil*

ME Innis



VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800



BUDDY ROEMER  
GOVERNOR

August 6, 1990

M E M O R A N D U M

TO: Deputy Secretary, Assistant Secretary Office of Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle *VVS*

RE: Commission Meeting Agenda - September 6-7, 1990

Please write on the bottom of this memo and return to Sharyn Bateman by Monday, August 20th, any agenda items your Office may have for the September 6-7, 1990, Commission meeting to be held in New Orleans, Louisiana, Monteleone Hotel. If you do not have anything for the agenda, please return memo and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

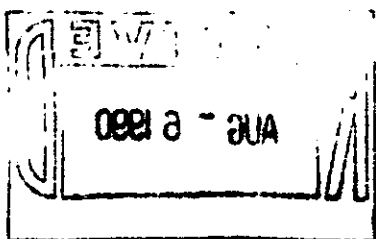
Thank you for your cooperation!

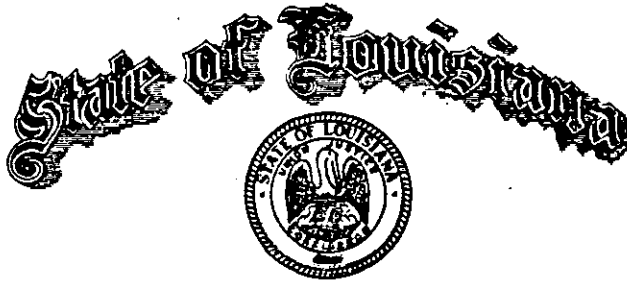
VVS/sb

C: Don Puckett  
Bob Dennie

*Kell - ① DA's Disposition Report*

- ② HB 1265 (Act 899) class 1 violation modifications*
- ③ Captains S. Jones request - Hunting/Ordinance*
- ④*





VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

August 6, 1990

M E M O R A N D U M

TO: Deputy Secretary, Assistant Secretary Office of  
Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle *VVS*

RE: Commission Meeting Agenda - September 6-7, 1990

Please write on the bottom of this memo and return to Sharyn Bateman by Monday, August 20th, any agenda items your Office may have for the September 6-7, 1990, Commission meeting to be held in New Orleans, Louisiana, Monteleone Hotel. If you do not have anything for the agenda, please return memo and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

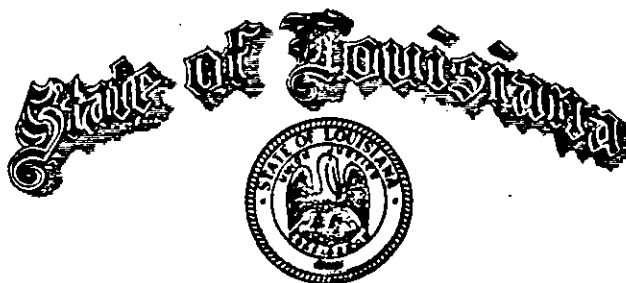
Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

C: Don Puckett  
Bob Dennie

*Nothing -*  
*Blue*



VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

August 6, 1990

M E M O R A N D U M

TO: Deputy Secretary, Assistant Secretary Office of Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle *VVS*

RE: Commission Meeting Agenda - September 6-7, 1990

Please write on the bottom of this memo and return to Sharyn Bateman by Monday, August 20th, any agenda items your Office may have for the September 6-7, 1990, Commission meeting to be held in New Orleans, Louisiana, Monteleone Hotel. If you do not have anything for the agenda, please return memo and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

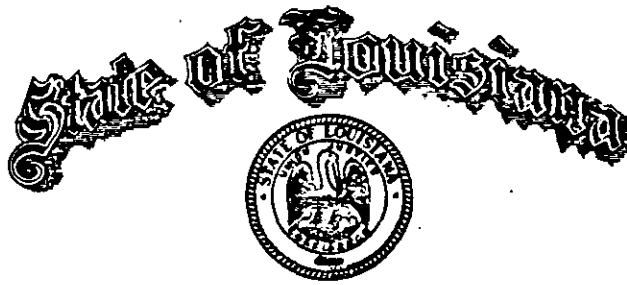
*Enforcement Report -*

VVS/sb

C: Don Puckett  
Bob Dennie

*WV*  
*8-6-90*

RECEIVED  
OFFICE OF THE SECRETARY  
AUG 7 8 9:52



RECEIVED

LA. DEPARTMENT OF  
WILDLIFE & FISHERIES

AUG - 6 1990

ASSISTANT SECRETARY  
OFFICE OF FISHERIES

VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

August 6, 1990

*Bennie  
Karen  
Claude  
Barney  
return by  
Friday, 8/17*

MEMORANDUM

TO: Deputy Secretary, Assistant Secretary Office of  
Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickie *VVS*

RE: Commission Meeting Agenda - September 6-7, 1990

Please write on the bottom of this memo and return to Sharyn Bateman by Monday, August 20th, any agenda items your Office may have for the September 6-7, 1990, Commission meeting to be held in New Orleans, Louisiana, Monteleone Hotel. If you do not have anything for the agenda, please return memo and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

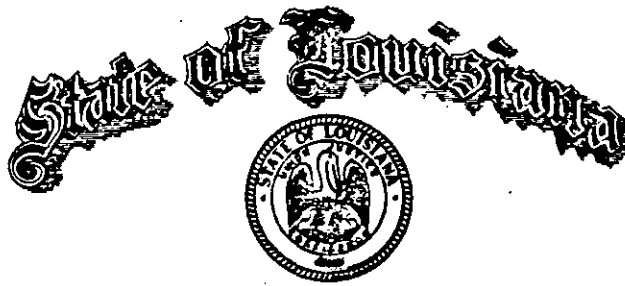
Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

C: Don Puckett  
Bob Dennie

*Nothing for DA agenda  
Don Puckett  
8/13/90*



RECEIVED

AUG 7

INFORMATION &  
EDUCATION DIV.  
BUDDY ROEMER  
GOVERNOR

VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

August 6, 1990

MEMORANDUM

TO: Deputy Secretary, Assistant Secretary Office of  
Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle *VVS*

RE: Commission Meeting Agenda - September 6-7, 1990

Please write on the bottom of this memo and return to Sharyn Bateman by Monday, August 20th, any agenda items your Office may have for the September 6-7, 1990, Commission meeting to be held in New Orleans, Louisiana, Monteleone Hotel. If you do not have anything for the agenda, please return memo and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

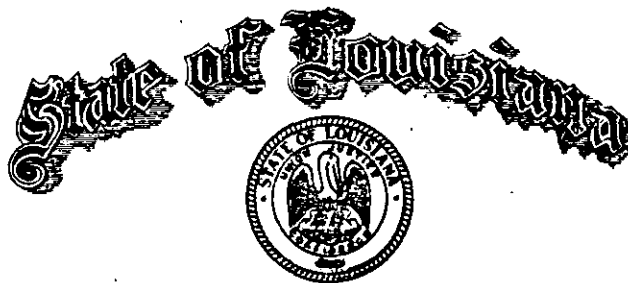
Thank you for your cooperation!

VVS/sb

C: Don Puckett  
Bob Dennie

*8/8 I & E - not a thing.*

Puckett



VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

August 6, 1990

M E M O R A N D U M

TO: Deputy Secretary, Assistant Secretary Office of  
Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickles *VVS*

RE: Commission Meeting Agenda - September 6-7, 1990

Please write on the bottom of this memo and return to Sharyn Bateman by Monday, August 20th, any agenda items your Office may have for the September 6-7, 1990, Commission meeting to be held in New Orleans, Louisiana, Monteleone Hotel. If you do not have anything for the agenda, please return memo and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

C:

Don Puckett  
Bob Dennie

*No items*





VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

August 6, 1990

M E M O R A N D U M

TO: Deputy Secretary, Assistant Secretary Office of Fisheries, Undersecretary and Office of Wildlife Chiefs

FROM: Virginia Van Sickle *VVS*

RE: Commission Meeting Agenda - September 6-7, 1990

Please write on the bottom of this memo and return to Sharyn Bateman by Monday, August 20th, any agenda items your Office may have for the September 6-7, 1990, Commission meeting to be held in New Orleans, Louisiana, Monteleone Hotel. If you do not have anything for the agenda, please return memo and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

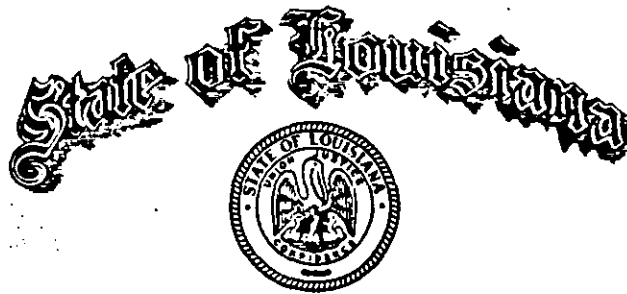
Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

VVS/sb

C: Don Puckett  
Bob Dennie

*Paula*  
*none at this time*  
*BBaker*  
*8/6/90*



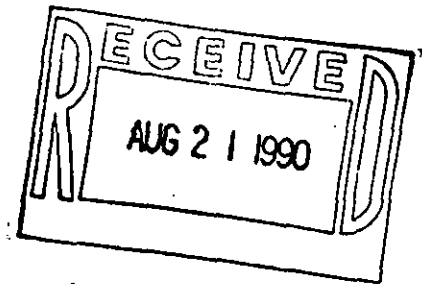
VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

August 14, 1990

Mr. Dennis Stine  
Commissioner of Administration  
Post Office Box 94095  
Baton Rouge, Louisiana 70804-9095



Dear Mr. Stine:

I am writing in regard to an aircraft; Piper Super Cub, PA18; purchased by the Louisiana Department of Wildlife and Fisheries in 1968 and crash landed in August of 1989. As of now this aircraft has not been repaired and has been turned over to the Division of Administration property control section to be sold as salvage. The decision to salvage the aircraft and permanently reduce our fleet by an aircraft was made by Virginia Van Sickle, Secretary; Kell McInnis, Deputy Secretary; and Bettie Baker, Undersecretary.

I am seeking direction from you regarding the return and repair of this aircraft as a result of a directive made by the Louisiana Wildlife and Fisheries Commission for the Department to regain possession of this aircraft and to take all steps necessary to repair it and put it in working order.

For background information on this situation, last year after the accident, bids were taken to get estimates on the cost to repair the aircraft from qualified aircraft repair shops. This was done because the Division of Administration's flight maintenance section is not capable of doing this work. The estimates to repair this aircraft are in the \$30,000 plus (+) range. Since the aircraft was purchased in 1968 for \$15,000, this did not appear to be a financially prudent decision because insurance proceeds totalled only \$5,000.

In light of this, I established contact with several vocational technical schools to see if they could incorporate this in their training program thereby significantly reducing rehabilitation costs. The vocational technical schools rejected our memorandum of understanding because it would not be cost effective for them to undertake such an extensive rehabilitation.

Mr. Dennis Stine  
August 14, 1990  
Page 2

Subsequent to these actions, the recommendation was made to Virginia Van Sickle to surplus the piper super-cub for salvage value and receive the insurance proceeds. Ms. Van Sickle concurred with this recommendation. Accordingly, all proper paperwork was submitted to the Office of Risk Management and to Property Control on August 3, 1990.

On Friday, August 10, 1990, the Louisiana Wildlife and Fisheries Commission instructed me to do all things possible to reclaim and repair the aircraft. Since the aircraft had been formally turned over to property control, which is under your authority, I am requesting permission to reclaim this aircraft. If you agree with this request, please sign on the concurrence line and I will follow-up with appropriate action; if you do not concur, then it will remain with the Division of Administration for disposal.

Thank you for your interest in this matter.

Respectfully submitted,



Bettsie Baker  
Undersecretary



---

Dennis Stine, Concur

---

Dennis Stine, Do not concur

c: Virginia Van Sickle  
A. Kell McInnis  
Jerry Clark  
Donald Puckett

ORIGINATING DATE  
8-3-90

## STATE PROPERTY TRANSACTION

SECTION I. REPORT AND EVALUATION - The following described state-owned Property is surplus to the needs of this agency and is reported for disposal. A separate BF-11 form is required for each article to be transferred to surplus or sold "As Is, Where Is".

TRANSFER TO SURPLUS		RECOMMENDED DISPOSAL			REPORTING AGENCY CONTROL NUMBER
METHOD: <input type="checkbox"/> PICKUP BY LPAA	<input type="checkbox"/> Interagency Transfer	<input type="checkbox"/> Dismantle for Parts	<input type="checkbox"/> Scrap	974-51-91-089	
<input type="checkbox"/> DELIVER TO LPAA	<input type="checkbox"/> Inventory Adjustment	<input type="checkbox"/> Not Located	<input type="checkbox"/> Stolen		
<input checked="" type="checkbox"/> SALE AS IS/WHERE IS	<input type="checkbox"/> Trade In	<input type="checkbox"/> Deceased Livestock			
REPORTING AGENCY ↓ TYPE OR PRINT	Department of Wildlife & Fisheries P.O. Box 98000 Baton Rouge, LA 70898-9000  Attention: Paul S. Grisaffe, Jr.			ARTICLE Airplane F.A.A. Identification No.: N4423Z	
STORAGE LOCATION ↓ TYPE OR PRINT	State Hanger Metro Airport Baton Rouge, LA			QUANTITY 1 MAKE AND MODEL PA-18-A-150 1969 Piper Cub Super Deluxe MANUFACTURER Cessna CONTACT PERSON Larry Kidwell PHONE NO. A/C (504) 358-9214	

Submit additional information and justification if scrap or dismantle for parts; include police report if stolen; identify condition for transfer to surplus; include pictures for sale "as is, where is," FOR MOTOR VEHICLE, SUBMIT CONDITION REPORT FORM DA 121, TITLE AND PINK SLIP.

Condition: Damaged in accident, needs repair

MINIMUM ACCEPTABLE BID: \$7500

Complete as much of the following coding information as possible. The number of digits required in each field is indicated in parentheses below the heading.

AGENCY NO. (3)	SUB. (2)	TAG NUMBER (6)	CLASSIFICATION CODE (7) (2)	SERIAL NUMBER (UP TO 25)	PROPERTY LOCATION (6)	MO. (2)	DAY (2)	YR. (2)	ACQ DATE	ACQ COST (UP TO 6)
974	51	1600	1650 49	18-8759	1112	11	01	68		\$15,596

Reimbursement Request (Attach documentation)

<input type="checkbox"/> Federal Fund - %	<input type="checkbox"/> Revolving Fund - 100%	Other (Specify) 100% X Rockefeller
Signature of Property Manager <i>Paul S. Grisaffe</i>	Name and Title (Type or Print) Paul S. Grisaffe, Jr., Property Manager	Phone No. (LINC No. Preferred) AC (504) 765-2534

## SECTION II. DIVISION OF ADMINISTRATION USE ONLY

DISPOSITION REQUESTED IS <input type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED	Remarks
Signed	Title
Date	

## SECTION III. DIVISION OF ADMINISTRATION USE ONLY

Relocated to	Received By	Date	Warehouse	Bay
STATE SURPLUS PROPERTY				
Sale No.	Amount	Invoice No.	Sold To	BA
	\$			WQ/PT
				WD

## SECTION IV. RECEIVING AGENCY

Transfer is authorized to the following receiving agency:	Agency Property Control No.	Receipt of the above property is hereby acknowledged.
Receiving Agency →		Signature of Property Manager
		Date
		Phone No. (LINC No. Preferred)
		( )

STATE PROPERTY FILE



VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

August 28, 1990

M E M O R A N D U M

TO: Chairman and Members of Commission  
FROM: Virginia Van Sickle *VVS*  
RE: September Board Meeting

The next regular public board meeting as set by the Commission will be at 2:00 p.m. on Thursday, September 6th, 1990, at the Monteleone Hotel, New Orleans East Room, 214 Rue Royale, New Orleans, Louisiana.

On Friday, September 7th, 1990, the meeting will be continued at the same location at 9:00 a.m. in the Queen Ann Parlor.

The following will be on the agenda:

1. Approval of Minutes of August 9-10, 1990

HUGH BATEMAN

2. National Wild Turkey Federation Cooperative Agreement
3. Declaration of Emergency and Notice of Intent - DEMAP Regulations to Address 1990 Legislation

KELL MCINNIS

4. District Attorney's Disposition Report
5. HB 1265 (Act 899) Class 1 Violation Modification
6. Bayou Sauvage /Orleans Parish - Enforcement of Parish Hunting Ordinance

August 28, 1990  
Page 2

JERRY CLARK

7. Spotted Seatrout Sampling Results - Update
8. August Shrimp Season Report
9. Notice of Intent - Daily Bag and Possession Limit for Freshwater Trout
10. Ratification of Public Oyster Seed Grounds - Vermilion, East and West Cote Blanche and Atchafalaya bays

WINTON VIDRINE

11. Monthly Enforcement Report

VIRGINIA VAN SICKLE

12. Secretary's Report to the Commission

OTHER BUSINESS:

PUBLIC COMMENT:

Don Puckett  
Kell McInnis  
Bettsie Baker  
Jerry Clark  
Wade Byrd  
John Medica  
Division Chiefs



VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

August 28, 1990

M E M O R A N D U M

TO: Chairman and Members of Commission  
FROM: Virginia Van Sickle *VVS*  
RE: September Board Meeting

The next regular public board meeting as set by the Commission will be at 2:00 p.m. on Thursday, September 6th, 1990, at the Monteleone Hotel, New Orleans East Room, 214 Rue Royale, New Orleans, Louisiana.

On Friday, September 7th, 1990, the meeting will be continued at the same location at 9:00 a.m. in the Queen Ann Parlor.

The following will be on the agenda:

1. Approval of Minutes of August 9-10, 1990

HUGH BATEMAN

2. National Wild Turkey Federation Cooperative Agreement
3. Declaration of Emergency and Notice of Intent - DEMAP Regulations to Address 1990 Legislation

KELL MCINNIS

4. District Attorney's Disposition Report
5. HB 1265 (Act 899) Class 1 Violation Modification
6. Bayou Sauvage /Orleans Parish - Enforcement of Parish Hunting Ordinance

August 28, 1990  
Page 2

JERRY CLARK

7. Spotted Seatrout Sampling Results - Update
8. August Shrimp Season Report
9. Notice of Intent - Daily Bag and Possession Limit for Freshwater Trout
10. Ratification of Public Oyster Seed Grounds - Vermilion, East and West Cote Blanche and Atchafalaya bays

WINTON VIDRINE

11. Monthly Enforcement Report

VIRGINIA VAN SICKLE

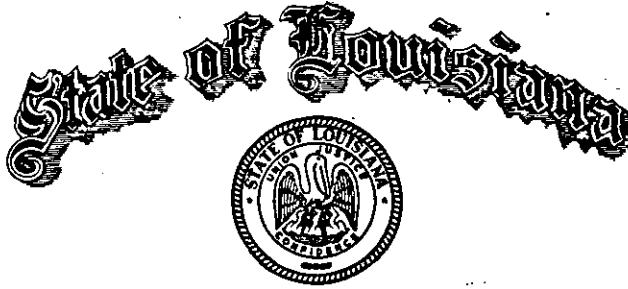
12. Secretary's Report to the Commission

OTHER BUSINESS:

PUBLIC COMMENT:

Don Puckett  
Kell McInnis  
Bettsie Baker  
Jerry Clark  
Wade Byrd  
John Medica  
Division Chiefs





VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

August 28, 1990

M E M O R A N D U M

TO: Chairman and Members of Commission  
FROM: Virginia Van Sickle *VVS*  
RE: September Board Meeting

The next regular public board meeting as set by the Commission will be at 2:00 p.m. on Thursday, September 6th, 1990, at the Monteleone Hotel, New Orleans East Room, 214 Rue Royale, New Orleans, Louisiana.

On Friday, September 7th, 1990, the meeting will be continued at the same location at 9:00 a.m. in the Queen Ann Parlor.

The following will be on the agenda:

1. Approval of Minutes of August 9-10, 1990

HUGH BATEMAN

2. National Wild Turkey Federation Cooperative Agreement
3. Declaration of Emergency and Notice of Intent - DEMAP Regulations to Address 1990 Legislation

KELL MCINNIS

4. District Attorney's Disposition Report
5. HB 1265 (Act 899) Class 1 Violation Modification
6. Bayou Sauvage /Orleans Parish - Enforcement of Parish Hunting Ordinance

August 28, 1990  
Page 2

JERRY CLARK

7. Spotted Seatrout Sampling Results - Update
8. August Shrimp Season Report
9. Notice of Intent - Daily Bag and Possession Limit for Freshwater Trout
10. Ratification of Public Oyster Seed Grounds - Vermilion, East and West Cote Blanche and Atchafalaya bays

WINTON VIDRINE

11. Monthly Enforcement Report

VIRGINIA VAN SICKLE

12. Secretary's Report to the Commission

OTHER BUSINESS:

PUBLIC COMMENT:

Don Puckett  
Kell McInnis  
Bettsie Baker  
Jerry Clark  
Wade Byrd  
John Medica  
Division Chiefs

Draft

8-21-90

Virginia

OK -  
VVS

So far this is  
what we have for  
agenda. Any other  
items you can think  
of.

21, 1990

f Commission

Sharp

RE: \_\_\_\_\_ meeting

The next regular public board meeting as set by the Commission will be at 2:00 p.m. on Thursday, September 6th, 1990, at the Monteleone Hotel, 214 Rue Royale, New Orleans, Louisiana.

On Friday, September 7th, 1990, the meeting will be continued at the same location at 9:00 a.m.

The following will be on the agenda:

1. Approval of Minutes of August 9-10, 1990

HUGH BATEMAN

2. National Wild Turkey Federation Cooperative Agreement
3. Report on 1989-90 DMAP

KELL MCINNIS

4. District Attorney's Disposition Report
5. HB 1265 (Act 899) Class 1 Violation Modification
6. ~~Bayou Sauvage / Orleans Parish Hunting Ordinance~~ - Enforcement  
~~captain p. Dares Request Hunting / Orleans Parish~~  
of Parish Hunting Ordinance

JERRY CLARK

7. Spotted Seatrout Sampling Results - Update
8. August Shrimp Season Report
9. ~~Approval of Tilapia for Domestic Fish Farming~~ <sup>all</sup>
10. 9 NOI - Daily Bag and Possession Limit for Freshwater Trout, salmon, etc.
11. Ratification of Public Oyster Seed Grounds

August 21, 1990  
Page 2

WINTON VIDRINE

9. Monthly Enforcement Report

VIRGINIA VAN SICKLE

10. *New Orleans Property - Angelus and Sale*  
10. Secretary's Report to the Commission

OTHER BUSINESS:

PUBLIC COMMENT:

Don Puckett  
Kell McInnis  
Bettsie Baker  
Jerry Clark  
Wade Byrd  
John Medica  
Division Chiefs

# State of Louisiana



VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
P. O. Box 98000  
Baton Rouge, LA 70898-9000  
504/765-2800

BUDDY ROEMER  
GOVERNOR

OFFICE OF FISHERIES  
PHONE (504) 765-2801

## TELECOMMUNICATION TRANSMITTAL SHEET

TO:

Patty

DATE: 4-5-90

NUMBER OF PAGES  
FOLLOWING:

TIME: 3:05

1

FROM:

Sharyn

SUBJECT:

Agenda

SHOULD YOU HAVE QUESTIONS, PLEASE CALL (504) 765-2801

MESSAGES:

Post Copies of this instead of agenda  
~~received~~ Sent to you earlier. Thanks

Sharyn



VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

May 1, 1989

Mr. Pielon Dupuy  
General Delivery  
Carlise, La.. 70042

Dear Mr. Dupuy:

The deer survey we made on your hunting area on Feb. 2 indicates a good deer population. The fact that you harvested 18 deer (14 bucks, 4 does) verifies this ground survey.

Unless there is a demand from more hunting clubs and landowners in Plaquemines Parish for dog hunting, I cannot recommend a dog season just for your hunting area. I believe you could continue to maintain a good harvest by still hunting. However, I understand your enjoyment for dog hunting and the Department is always willing to work with clubs and landowners in Plaquemines Parish.

David Moreland

*David Moreland*  
Dist. VII Game Supervisor

DWM:cl

R E S O L U T I O N NO. 89-142

The following Resolution was offered by Council Member Beshel who moved its adoption:

A Resolution authorizing the Parish President, for and on behalf of the Plaquemines Parish Council, to request the State of Louisiana Department of Wild Life and Fisheries to open the hunting of quadrupeds with dogs on the east bank of the river from the boundary line of St. Bernard Parish to Bohemia, Louisiana.

BE IT RESOLVED by the Plaquemines Parish Council that it hereby authorizes the Parish President, for and on behalf of the Plaquemines Parish Council, to request the State of Louisiana Department of Wild Life and Fisheries to open the hunting of quadrupeds with dogs on the east bank of the river from the boundary line of St. Bernard Parish to Bohemia, Louisiana; and

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that the Secretary of this Council is hereby authorized and directed to immediately certify and release this resolution and that Parish employees and officials are authorized to carry out the purposes of this resolution, both without further reading and approval by the Plaquemines Parish Council.

Council Member Treadway seconded the motion to adopt the Resolution.

The foregoing Resolution having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members Albert J. Beshel, Benny G. Rousselle, Jerry Hodnett, Morris Treadway and Ernest Johnson

NAYS: Council Members Mike A. Mudge, Sullivan J. Vullo, Gary S. Ragas and Bryan N. Dickinson

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Resolution was adopted on this the 11th day of May, 1989.

I hereby certify the above and foregoing to be a true and correct copy of a resolution adopted by the Plaquemines Parish Council at its regular meeting held at its office in the Courthouse, Pointe ala Hache, Louisiana, on May 11, 1989.

*Merl D. Anardi*  
Secretary



VIRGINIA VAN SICKLE  
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

May 1, 1989

Mr. Pielon Dupuy  
General Delivery  
Carlise, La.. 70042

Dear Mr. Dupuy:

The deer survey we made on your hunting area on Feb. 2 indicates a good deer population. The fact that you harvested 18 deer (14 bucks, 4 does) verifies this ground survey.

Unless there is a demand from more hunting clubs and landowners in Plaquemines Parish for dog hunting, I cannot recommend a dog season just for your hunting area. I believe you could continue to maintain a good harvest by still hunting. However, I understand your enjoyment for dog hunting and the Department is always willing to work with clubs and landowners in Plaquemines Parish.

David Moreland

*David Moreland*  
Dist. VII Game Supervisor

DWM:cl



R E S O L U T I O N   N O . 89-142

The following Resolution was offered by Council Member Beshel who moved its adoption:

A Resolution authorizing the Parish President, for and on behalf of the Plaquemines Parish Council, to request the State of Louisiana Department of Wild Life and Fisheries to open the hunting of quadrupeds with dogs on the east bank of the river from the boundary line of St. Bernard Parish to Bohemia, Louisiana.

BE IT RESOLVED by the Plaquemines Parish Council that it hereby authorizes the Parish President, for and on behalf of the Plaquemines Parish Council, to request the State of Louisiana Department of Wild Life and Fisheries to open the hunting of quadrupeds with dogs on the east bank of the river from the boundary line of St. Bernard Parish to Bohemia, Louisiana; and

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that the Secretary of this Council is hereby authorized and directed to immediately certify and release this resolution and that Parish employees and officials are authorized to carry out the purposes of this resolution, both without further reading and approval by the Plaquemines Parish Council.

Council Member Treadway seconded the motion to adopt the Resolution.

The foregoing Resolution having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members Albert J. Beshel, Benny G. Rousselle, Jerry Hodnett, Morris Treadway and Ernest Johnson

NAYS: Council Members Mike A. Mudge, Sullivan J. Vullo, Gary S. Ragas and Bryan N. Dickinson

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Resolution was adopted on this the 11th day of May, 1989.

I hereby certify the above and foregoing to be a true and correct copy of a resolution adopted by the Plaquemines Parish Council at its regular meeting held at its office in the Courthouse, Pointe ala Hache, Louisiana, on May 11, 1989.

  
Secretary

*Draft*  
*D/S*  
*Dyke's Correction*  
*Mach 9-20-90*

MINUTES OF MEETING OF  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
SEPTEMBER 6-7, 1990

Chairman Warren I. Pol presiding:

Thursday, September 6, 1990

Houston Foret  
Don Hines  
Jimmy Jenkins  
Pete Vujnovich

Secretary Van Sickle was also present.

Commissioners Bert Jones and Norman McCall were absent. Secretary Van Sickle advised that she had talked with Mr. Jones and due to unforeseen business reason he could not attend but if his ~~presents~~ was need he would be available.

Friday, September 7, 1990

Houston Foret  
Don Hines  
Jimmy Jenkins  
Pete Vujnovich

Secretary Van Sickle was also present.

Commissioners Bert Jones and Norman McCall were absent.

At Thursday's meeting a motion was made by Mr. Jenkins and seconded by Captain Vujnovich to approve the **Minutes** of the August 9-10, 1990. The minutes passed unanimously.

At Thursday's meeting Mr. Hugh Bateman introduced the representatives from the **National Wild Turkey Federation (NWTf)** who would sign and explain the formal agreement between the department and the National Wild Turkey Federation. Also attending were representatives from the Louisiana Wild Turkey Federation (LWTF). Those representing the NWTf were Mr. Shaun Viguerie-President, Mr.

Rob Kake-Executive Vice President, Mr. Ron Brennan-Assistant Director of Research and Management, and Dr. James Earl Kinnermer-Director of Research and Management. Those representing the LWTF were Mr. Mike Grace-President, Mr. Luke Lewis and Mr. Bill Walls. At this point Mr. Rob Keck addressed the Commission and those attending the meeting to explain the purpose of the agreement. The NWTF has been working with the department long before the signing of the Memorandum of Understanding (MOU). The signing of the MOU with Louisiana will make the 43rd state agency that the NWTF has signed with. Mr. Keck asked Dr. Kinnermer to give some specifics before the signing of the formal document. Dr. Kinnermer advised that there are a lot of opportunities to enhance the wild turkey program in Louisiana. Some of the opportunities that Dr. Kinnermer pointed out were help with the ~~pen-raised problems~~, new booklet compiled by the agency with funding through the super fund, grant-in-aid program, coordinating with the agency closely. The NWTF is a support agency to the department and will not in any way take away the department's responsibilities. At this time in the meeting Mr. Rob Keck along with Chairman Warren I. Pol and Secretary Virginia Van Sickle signed the Memorandum of Agreement thus making Louisiana the 43rd state to do so. Upon completing the signing of the MOU Chairman Pol thanked the Wild Turkey Federation for their efforts.

*problem of pen-raised birds*

At Thursday's meeting the **Declaration of Emergency and Notice of Intent for the DMAP Regulations** were brought before the Commission

by Mr. Dave Morrison. Mr. Morrison explained that the Declaration of Emergency and Notice of Intent were prepared in response to House Bill 1346 sponsored by Representative Randy Roach in the 1990 Legislative session. House Bill 1346 directs the department to establish rules and regulations concerning the marking of lands enrolled in the Deer Management Assistance Program. These rules and regulations will enable the department to work with the cooperators and cite trespassers with taking of wildlife illegally. Prior to enactment of this legislation all that could be done was for the cooperator to file a civil suit if he found trespassers on his property. This legislation will now enable the cooperators to file state charges on trespassers for taking wildlife. Mr. Morrison pointed out that the rules and regulations that the Commission will be adopting are strictly voluntarily for the cooperators. As set up in the legislation the cooperators do not have to conform to the rules and regulations but will not receive any benefits of the act. Mr. Morrison asked if the Commissioners had any questions. Dr. Hines asked if the department would be selling or providing the DMAP signs. Mr. Morrison explained that the department will not have any of the signs for purchase but the various district offices have been given the name and address of the company where the signs can be obtained by the cooperators. The signs can be made of plastic, wood or whatever the cooperator chooses. Mr. Morrison then presented the resolution for adoption including the emergency declaration and notice of intent. Mr.

Jenkins made a motion that the Commission adopt the resolution.  
The motion was seconded by Dr. Hines and passed unanimously.

(The full text of the resolution  
is made a part of the record)

RESOLUTION

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES  
COMMISSION AT ITS REGULAR MEETING HELD IN NEW ORLEANS, SEPTEMBER  
6, 1990.

WHEREAS, R.S. 56:111.1 was passed during the 1990 Legislative  
Session, and

WHEREAS, this statute directs the Louisiana Department of Wildlife  
and Fisheries to develop regulations to provide for marking  
property enrolled in the Deer Management Assistance Program  
(DMAP), and

WHEREAS, these regulations will allow trespassers to be charged  
with illegal harvest of wildlife species on lands enrolled in  
the DMSP, and

A

WHEREAS, the Louisiana Department of Wildlife and Fisheries has developed regulations concerning placement and type of signs, and

WHEREAS, these rules and regulations need to be established prior to the 1990-91 deer season, and

WHEREAS, compliance with these rules and regulations will be voluntary for DMAP cooperators, now

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby adopt the attached rules and regulations in response to R.S. 56:111.1 by Declaration of Emergency, and

BE IT FURTHER RESOLVED that these rules and regulations will be established as a permanent rule in accordance with the Administrative Procedure Act.

Virginia Van Sickle  
Secretary

Warren I. Pol  
Chairman

(The full text of the Declaration of  
of Emergency is made a part of the  
record)

DEPARTMENT OF WILDLIFE AND FISHERIES  
WILDLIFE AND FISHERIES COMMISSION

In accordance with the provision of R.S. 49:953B and in order to establish rules and regulations mandated by R.S. 56:111.1 passed during the 1990 legislative session, the Secretary of the Louisiana Department of Wildlife and Fisheries and Louisiana Wildlife and Fisheries Commission hereby finds that the public welfare is best served by adopting the following emergency rule prior to the 1990-91 deer season. The emergency rule shall establish criteria pertaining to the making of property enrolled in the Department's voluntary Deer Management Assistance Program that will allow cooperators to prosecute trespassers for taking wildlife from these posted lands. Rules and regulations shall be as follows:

Sign Color:	Orange
Size:	11 1/4" x 11 1/4"
Lettering:	The words DMAP and Posted can be no less than 4" (four inches) in height.
Construction:	Metal Wood, plastic, paper or other material
Placement:	Signs will be placed no more than 200' (two hundred feet) apart and at each point of entry.

The Louisiana Wildlife and Fisheries Commission and Louisiana Department of Wildlife and Fisheries will effectuate a permanent rule that will implement these regulations beyond the 120 day period by a Declaration of Emergency.

Warren Pol  
Chairman

(The full text of the Notice of  
Intent is made a part of the record)

NOTICE OF INTENT  
DEPARTMENT OF WILDLIFE AND FISHERIES  
WILDLIFE AND FISHERIES COMMISSION

TITLE 76

WILDLIFE AND FISHERIES

Part V: Wild Birds and Wild Quadrupeds

Chapter 1: Wild Quadrupeds

Section: 109: Regulation for Signs and Sign Placement for DMAP  
Cooperators



The Wildlife and Fisheries Commission does hereby give notice of its intent to promulgate a Rule to establish rules governing sign regulations and placement on Deer Management Assistance Program cooperators. Said notice is in response to Act 499 of the 1990 Legislative Session and compliance is optional for cooperators in this voluntary Department program. This rule is attached and made part of this Notice of Intent.

Public hearings concerning the proposed rule will be held at regularly scheduled Commission meeting in October and November. Additionally, interested parties may submit written comments relative to the proposed rule until 4:30 p.m., November 30, 1990 to Clyde Vienne, Deer Management Assistant Program Coordinator, Box 98000, Baton Rouge, LA 70898-9000.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:111.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16: ( ).

Warren Pol

Chairman

#### RULE

DEPARTMENT OF WILDLIFE AND FISHERIES

WILDLIFE AND FISHERIES COMMISSION

## TITLE 76

### WILDLIFE AND FISHERIES

#### Part V: Wild Birds and Wild Quadrupeds

##### Chapter 1: Wild Quadrupeds

##### Section 109: Regulation for Sign and Sign Placement for DMAP

##### Cooperators

Rules and regulations to comply with R.S. 56:111.1 relative to the Deer Management Assistance Program and which will prohibit unauthorized persons from taking game on Deer Management Assistance Program areas are as follows:

Sign Color:	Orange
Size:	11 1/4" X 11 1/4"
Lettering:	The words DMAP and Posted can be no less than 4" (four inches) in height.
Construction:	Metal, wood, plastic, paper or other material.
Placement:	Signs will be placed no more than 200' (two hundred feet) apart and at each point of entry.

The provisions of this Act are applicable only to clubs enrolled in the Deer Management Assistance Program and participation with the requirement of R.S. 56:111.1 are optional.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:111.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16: ( ).

Warren Pol

Chairman

Secretary Van Sickle pointed out that the department did support the passage of the bill that enabled these trespass laws to be strengthened and this is one step in improving the rights of the landowner especially those participating in the DMAP program.

Chairman Pol asked what did it really do to strengthen the rights of the landowner?

Mr. Bateman explained that in the past if a hunting club was enrolled in the DMAP program and just had the regular "Posted" signs around the area<sup>and</sup> if a person trespassed on the property and took a buck deer when the deer season was opened on the outside of the DMAP area that person could only be charged with trespassing. These regulations will allow the department to actually file a much

more serious change against the individual in addition to trespassing. This regulation will actually strengthen a person's ability to protect his property if he is willing to pay the fees and manage the deer.

Chairman Pol asked if anyone had questions as this is a very important item and it is going <sup>to be</sup> used in the future.

A gentleman from the audience asked about the signs and the cost it would entail and if it cost anything extra to belong to DMAP. Mr. Morrison advised that with the type of sign that was shown at the meeting it would cost about \$25 a mile and there is a \$25 Administrative fee plus a nickel an acre with a minimum of 500 acres.

Mr. Bateman explained that the Commission passed the fees that were to be assessed this last year and in conjunction with this particular item it is interesting to know that all the results are in from the last year and extra income to the department was about \$88,000 additional conservation dollars.

Chairman Pol asked if many people had dropped out of the program when the fees were passed. Mr. Bateman advised that about ten percent of the total clubs were lost and the people that were serious about managing their deer stayed in the program. There were some new clubs gained and lost clubs that were borderline that

should not have been in the program. Mr. Bateman stated that they are working with the department's data processing section in putting together a report that will show what every cooperators has done in terms of number of deer taken, number of antlerless, sizes, weights, age classes, etc. and once this program is in place there will be a report available for the Commission and the public every year.

At Thursday's meeting Mr. Kell McInnis gave an update on the **Disposition Report of the District Attorneys**. Mr. McInnis advised that the Commissioners had received a synopsis of the disposition report of the district attorneys in their folders. Last spring a 90 day report was mailed out asking the district attorneys to respond which brought a good response. Those that did not respond were either inadequately prepared to do so, did not have the personnel to do so or had gone so far as to having being so far out of the time frame that they had to go to the Clerk's office and remove materials from achieves. The department met with the District Attorney's Association again and modifications were made in the disposition report request, going from a six month time frame as opposed to a three month time frame. Mr. McInnis informed the Commissioners that he had spoken with several district attorneys in the last couple of days that have not been able to get their report in. Mr. John Mamoulides' office, Orleans, indicated that the report was prepared and waiting for his review; attempted to contact the district attorney's office in Jeff Davis Parish and

was unable to do so; spoke with Mr. Greenburg's in Terrebonne and they indicated that they had the disposition blue sheets and were working on them; Mr. Stansberry has not responded but Mr. McInnis has reason to believe that he will comply shortly; Mr. Blake in Bienville, Claiborne and Jackson has not responded and Mr. McInnis will be checking with him. Mr. McInnis advised that if any of the Commissioners were interested in any particular area to let him know.

Chairman Pol asked if there were any district attorneys <sup>who</sup> to actually refuse to do the report. Mr. McInnis answered "no" not to his knowledge. Mr. Jenkins asked when Mr. McInnis thought this reporting system would be in shape to look at on a quarterly basis. Mr. McInnis advised that what was decided after meeting with the District Attorney's Association was to work on a semi-annual basis rather than a quarterly because of their records and time frame.

One thing that the department did run across was that the Class I Violations were not being given the serious treatment that they should have been. Records indicated that they were not being addressed in the Criminal Court system and Mr. McInnis advised that he will address this item in his next presentation to the Commission.

Mr. McInnis asked if there were any questions concerning the district attorney's report. Chairman Pol asked if anyone from the

audience would like to address Mr. McInnis and explained that the department and Commission is asking the district attorneys to more or less cooperate with the department in trying to bring some of the offenders to a quick trial. A gentleman from the audience asked if reports were being received from St. Bernard parish. Mr. McInnis advised that both reports have been received from St. Bernard parish. Secretary Van Sickle stated that a copy of the report could be obtained from the department.

At Thursday's meeting Mr. McInnis reported on **House Bill 1265 (Act 899) Class 1 Violation Modification**. Mr. McInnis reported that Class 1 Violations are relatively minor offenses. These violations run from life jackets, fire extinguishers, etc. which are very serious in nature because of their safety ramifications. The penalty for these types of violations are such that the Criminal Court system by sheer volume did not give them the same attention that was felt was necessary to put the violator on notice. These are relatively minor fines, \$25 plus court cost depending on the parish. There was also somewhat of a reluctance of the prosecutors to create a criminal record for violators in this category. Research indicated that 79.6% percent of the total amount of the Class 1's that were issued did not result in a conviction or guilty plea. After discussion with the District Attorney's Association and in-house through the Enforcement Division and the Administrative staff it was felt that there was an opportunity to remove this violation from the Criminal Court system and turn it

into an administrative type fine thus bringing the revenues back to the department. As a result ~~of~~ HB 1265 introduced by Representative Adley allows or provides for a civil penalty for those persons who are charged with this Class 1 violation. The procedure that will be utilized is that once a violator is charged with a Class 1 he is not sent to the court house. You can either sign your name on the ticket and send in the fine or you can sign your name on the ticket and indicate that you wish to have a hearing on the particular case. Mr. McInnis advised this has been going on for the last three or four weeks and he had only received one phone call pertaining to the interpretation of the law as to one or both persons should have gotten a ticket. Administrative hearings have been scheduled for those persons who have requested it and currently there will be a series of hearings beginning later this month. There will be a hearing in each region, initially until it is determined whether or not there is enough demand to have these hearings on a region by region basis. If there is not enough demand the department will seek to modify this. The initial fine is \$50 plus \$25. The second offense will not be used in a habitual offender matter for Criminal Court, it will strictly be a second offense for the department's purposes. The fine for the second offense is \$100, the third and subsequent offenses are \$200, to be paid to the department by certified check and collected in Baton Rouge.



Dr. Hines asked who was going to conduct the Administrative hearings. Mr. McInnis answered the Legal staff would be handling this initially until a determination can be made as to whether or not the department needs to employ an Administrative hearing judge.

Chairman Pol asked if there were any questions. There being none the next item for Thursday's meeting was a **Declaration of Emergency-Bayou Sauvage/Orleans Parish-Enforcement of Parish Hunting Ordinance and/or Total Closure of Hunting Season for Certain Areas in Orleans Parish.**

Mr. McInnis stated that this is not really as difficult as it sounds and Captain Dares from the Region VIII office has a map that gives a much clearer picture. Orleans parish is basically closed to the discharge of any firearm and this area is all contained in Orleans parish pointed out Mr. McInnis. The area in question contains the new federal refuge Bayou Sauvage. It is not the entire area but it is the bulk of it stated Mr. McInnis. There are some small in-holdings adjoining the refuge that the department seeks a clarification for support. What is simply being said is that the Commission recognizes that the refuge is there, there is no hunting by firearm allowed now and the department would like to close it completely to hunting in a certain area. Mr. McInnis asked Captain Sandy Dares to describe the area. Captain Dares advised that the area east of Chef Pass is not affected by this because it is exempted under the parish ordinance. The area that

is affected is from Chef Pass, west. This area would include the entire remainder of Orleans parish north of the Intercoastal Waterway. This is the City of New Orleans, New Orleans East area, out to Bayou Sauvage Federal Wildlife Refuge. Captain Dares pointed out on the map the area that is owned by the First Savings Bank of Arkansas and has corresponded with them. They do not want anyone on their land and they do not have any leases. Part of the land is developed with apartment complexes and residential areas. The area that is not developed has caused big problems in the past with complaints of people hunting illegally, closed season and night time. Another area pointed out by Captain Dares was an area that bordered Lake Pontchartrain, north of I-10, and is owned by the Nature Conservancy. The Nature Conservancy has corresponded with Captain Dares and they are in full support of what the department is proposing. The only remaining areas, pointed out Captain Dares, are basically developed industrial areas, residential areas, apartment complexes, etc. The firearm ordinance that was passed by Orleans parish approximately 20 years ago not only prohibits discharge of firearms but also hunting bows, air rifles, etc. There has been some question in the past about whether the department has the authority to enforce the parish ordinance. The parish is now telling the department that they do have the authority but it is a discharge ordinance and the actual firing of a gun, etc. would have to be seen advised Captain Dares. This causes problems and the department feels like that if these areas are made "no hunting" areas it would be a lot easier to

enforce plus giving the department a law that is in its own area. There would be no worry about any jurisdictional questions with the city. Captain Dares informed the Commission that he has talked to the Municipal Court where most of the wildlife cases are prosecuted and they do not have any problems if the regulation is passed. Councilman Johnny Jackson is the City Council for the majority of this area and he plans on trying to expand the parish ordinance to make it a "no hunting" as well as a "no discharge" ordinance at their September 16th Council meeting. Captain Dares stated that whether the City Council passes the "no hunting" ordinance or not the department would like to see it go into effect so that when October 1st comes around and the bow hunting starts the department will have something to use to keep the people out of that area. The main concern is the fact that Bayou Sauvage now encloses most of the legitimate hunting areas in this part of Orleans and correspondence has been received from the U.S. Fish and Wildlife Service fully supporting this issue. From a safety point of view the department does not want to see somebody using the refuge or residents living around the area get hurt because somebody is illegally hunting or trespassing in the area concluded Captain Dares.

Mr. McInnis pointed out that the department has received letters from Mr. Robert Thomas, Executive Director, LA Nature and Science Center, Mr. Frank Wait, Vice President of the First Savings in Arkansas, and Mr. Howard E. Poitevint, U.S. Fish and Wildlife

Service. At this time Mr. McInnis presented a resolution and declaration of emergency.

Mr. Jenkins made a motion that the resolution and declaration of emergency be accepted on the enforcement of parish hunting ordinance and closure of hunting season for certain areas in Orleans parish. The motion was seconded by Mr. Vujnovich and passed unanimously.

Dr. Hines stated that he sees where First Savings of Arkansas is going to allow the trapping of alligators but prohibits the use of firearms and asked what is going to happen if a person catches a ten or twelve foot alligator?

Mr. McInnis stated that his impression is that they would use a regular hammer. One of his enforcement agent witnessed this and he has a video of it. Several people commented that they would like to see this video.

*Castillo*  
Chairman Pol asked if anyone in the audience would like to direct any questions on this item to Mr. McInnis.

Mr. Eddie ~~Castillmen~~ *Castillo* asked what the effective date would be. Mr. McInnis advised that the effective date would be upon signature of the appropriate parties and publications which should be today or

tomorrow. The regulation will be in effect prior to the season going into effect.

(The full text of the resolution  
is made a part of the record)

#### RESOLUTION

Louisiana Department of Wildlife and Fisheries  
Louisiana Wildlife and Fisheries Commission

WHEREAS, That portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-Jefferson Parish line, is included in city municipal ordinances that prohibit the discharge of all firearms; and

WHEREAS, The newly formed Bayou Sauvage National Wildlife Refuge

lies within this section of Orleans Parish and will prohibit all hunting activities for resident and migratory game; and

WHEREAS, This area in and around the Bayou Sauvage National Wildlife Refuge will soon be a popular area used by citizens for fishing, camping, nature study and other outdoor recreational purposes; and

WHEREAS, The Refuge will provide an outdoor setting for enjoyment of family oriented activities particularly for children and older adults; and

WHEREAS, Existing small tracts of wooded land bordering the Refuge and city subdivisions will only provide an enforcement dilemma; and

WHEREAS, The U.S. Fish and Wildlife Service and the New Orleans Police Department support correcting this situation before someone is injured; and

WHEREAS, This area of Orleans Parish, in the judgment of the Department of Wildlife and Fisheries, is not a safe or proper environment for hunting activities to take place.

THEREFORE BE IT RESOLVED that that portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the

southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-Jefferson Parish line shall be closed to all shooting or hunting by any means or device until further notice, effective September 7, 1990.

Warren Pol, Chairman

Virginia Van Sickle, Secretary

(The full text of the declaration  
of emergency is made a part of the  
record)

#### DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(b) of the Administrative Procedure Act, and under the authority of R.S. 56:6 and 115, the Wildlife and Fisheries Commission hereby finds that an imminent peril to public welfare exists and accordingly adopts the following emergency rule:

That portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-Jefferson Parish line shall be closed to all shooting or hunting, by any means or device until further notice, effective September 7, 1990.

The Commission finds that the above closure is necessary for reasons of public safety and recreation; and further due to the fact that this portion of Orleans Parish is included in city municipal ordinances that prohibit the discharge of all firearms, and said area adjacent to Bayou Sauvage National Wildlife Refuge wherein hunting activities are prohibited. The Commission further



finds that this action is necessary to enhance enforcement of hunting restrictions in the general area.

Warren I. Pol

Chairman

At Thursday's meeting Mr. Phil Bowm gave the **August Shrimp Season Report**. Mr. Bowman gave a brief status report on what has been observed by the department during the opening weeks of the fall shirmp season and landing data this year in relation to shrimp. Preliminary statistics released by the National Marine Fisheries Service (NMFS) show that in Louisiana, for the month of July, there were 4.1 million pounds of shirmp landed, heads off weight. This is down somewhat from the previous years but there were two exceptional months during May and June for brown shrimp production. Also the seasons were closed earlier this year and the department expected that the production for the month of July would be down advised Mr. Bowman. Most of the shrimp did come from the offshore areas as a result of the inshore areas being closed. The January through July 1990 total is 42.9 million pounds, heads off weight. This is the highest Louisiana has seen since 1986 when 46.3 million pounds were landed for the same time frame. Louisiana did have a good spring shrimp season.

Mr. Bowman proceeded to give a brief status report on the fall shrimp season. The season opened on August 20, 1990. Prior to the opening day information indicated that the white shrimp were showing a normal distribution pattern with heaviest concentrations in the areas of freshwater input, namely the Pearl River, Mississippi River, and the area influenced by the Atchafalaya River from western Terrebonne through Vermilion Bay. When the season opened on August 20th there was a reduced effort in the field, the same type of trend that was seen when the spring shrimp season was opened. Some of the district people reported that they had observed an effort perhaps 33 percent below what they have seen for the past years for the opening of the fall season. There were some areas where the boats were concentrated because of plentiful shrimp, particularly in the western Terrebonne area, Lake Mechant, Sister Lake and Vermilion Bay. Catch trends were the best that the department has seen for some time. When the season opened for the last couple of years there has only been one good day of shrimping but this year the first three days and in some areas four days were pretty good. One encouraging sign that has been seen is the second wave of recruitment that is currently in the marsh. They are relatively small but growing rapidly because the water temperatures with the hot weather are extremely high. The department expects these shrimp when they become available for the fishery in late September and early October to be of a fairly good size. When the season was opened this year there were some pretty good sizes on the shrimp with the predominant sizes in the 21-25 to the 31-35

head on count. This is a little larger than has been seen in the past couple of year stated Mr. Bowman and it was really what a lot of the industry people wanted to see. Some areas had some larger shrimp in the 10-15, 16-20 head on size counts and there were some areas that had small shrimp in the 80-100 head on size count. The bulk of the shirmp on the opening two or three days of the season were in the 21-15 to 31-35 grouping.

One down note on the opening of the season which was experienced was a continuing erosion of the dock side prices. The prices are some of the lowest since 1986. In 1986 the 21-25 count head on shrimp were bringing about \$2.50 a pound and this year they brought about \$1.80 a pound. This is a substantial decrease in price since 1986. Mr. Bowman informed Chairman Pol that the department will continue to keep the Commission appraised as the season progresses and asked for questions.

Chairman Pol asked why the price of the shrimp was continuing to drop. Mr. Bowman stated that there were a number of reasons for this. It runs from interest rates, to the amount of imported shirmp on the market, to the overall situation in the economy and the availability of the processors and dealers to move shrimp. Also the months of May and June were tremendous months for shrimp. All these factors go into an equation and it has caused the prices to continue to be depressed. This is a situation the department

5)  
has seen and it has continued to worsen over the last couple of year particularly with the import situation stated Mr. Bowman.

Chairman Pol asked Mr. Foret what he has observed in his area on this situation. Mr. Foret stated that he thinks Mr. Bowman's information makes a lot of sense and as far as controlling the price of shrimp nobody controls the price of shrimp, supply and demand controls it. Chairman asked if anyone had any question for Mr. Bowman. 801

6  
Mr. Kevin Cambo, mariner owner at Shell Beach, asked if something could be done on getting a weight on the shrimp brought from Louisiana to Mississippi. Sixty percent of the boats that shirmp in the area (Mississippi River, Gulf outlet passage) did not land the shrimp in Louisiana stated Mr. Cambo because they were paying anywhere from fifteen cents, to thirty five cents, to fifty cents a pound in Mississippi. Mr. Cambo asked if there was anything that could be done about this. More

Chairman Pol stated that he wished the Commission could help with prices but they could not.

At Thursday's meeting Dr. Jerry Clark presented an **Update on the Spotted Seatrout Sampling Results**. Dr. Clark advised that at the last Commission the data through May was reported and the Commission was informed at that time that the January through May

time period was probably not the best time period to compare when ~~you are against another because in the types of gear that were being looked at and in the areas being sampled spotted seatrout were not prevalent.~~ The June through September/October time period is much better for the department's gear and types of analysis that needed to be done. The Commission, at the last meeting, instructed the department to obtain the information as fast and as early as they could. The department is able to report the June through July data at this Commission meeting advised Dr. Clark but has been <sup>2e</sup> unable to completely analysis ~~is~~ the August data at this time, period. At this point during the meeting Dr. Clark advised that Mr. Joey Shepard would make the presentation on additional types of analysis that have been done on the data that the department was not able to do on the January through May data.

The presentation that Mr. Shepard presented was in two part. The first part was a look back at the 1983 freeze and anything that could possibly be related to conditions that were seeing in 1990. In 1983 the Marine Finfish Section was not in existence and the only information that could be found was some recreational data from the ~~National~~ Survey and also some preliminary information on gill netting. ~~The following information was presented.~~ The 1983, 1984 and 1985 catch effort information for recreational fisheries. There are a couple of interesting correlations between what was seen in 1983 and 1984 after the freeze and what is being seeing now. One thing is the apparent shift of those fish moving

was then presented.

into the system until July. Another thing which was learned is that in 1985 those fish seemed to come back in great abundance indicating to the department that in 1984 those fish were just not available to the fishery. Looking at the recreational landings and commercial landings for the whole time period there is a severe drop in recreational fishery in 1984 after the 1983 freeze but actual landings went up a great deal the year after. Information indicates that those fish were just not available to the fishery at that time. 1986 was a record year for the record in fishery in spotted seatrout. In 1983-84 an experimental gill net study was initiated from the Marine Lab to look at their effect on catching spotted seatrout.

The next group of slides that Mr. Shepard presented dealt with the department's actual finfish program. Sixty six locations across the Louisiana coast were sampled twice a month, all year long. The whole program was designed just to look at this type of information and Mr. Shepard explained how salinity affects spotted seatrout and showed salinity (high, mid and low) comparisons during the affected years. Mr. Shepard stated that one of the statements that they have been hearing is that there are no big fish, all the big fish must have died, and all that is being caught is small fish. This does not appear to be the case and when the fish in the 1" mesh compared to the 1.5" mesh were compared, historically 1986-1989 information, both track and catch effort are pretty closely in the spring with the big fish moving off somewhere else and the

small fish increase to some extent. This is not seen in 1990. There is more of a difference between the abundance of big fish and abundance of small fish. The abundance of big fish is not down, the abundance of small fish is higher and more of them.

A graph of all the information, statewide, giving a picture of where the fishery stands this year compared to the average of previous years in relative abundance was shown and explained by Mr. Shepard. There is no apparent statistical difference between the relative abundance of fish in 1990 compared to the average of abundance of fish from 1986-1989.

Concluding the slide presentation Dr. Clark asked if the Commissioners had any questions. Mr. Jenkins asked about the chart that had the commercial and recreational landings from 1980-89 and asked if the years 1986-89 were declining years in landings. Mr. Shepard answered "yes". Mr. Jenkins asked if there was an explanation of why those years were in declines when a freeze was not a problem? Mr. Shepard stated that in 1986 the commercial quotas started and recreational size limits started. In 1987 the bag limit was reduced from 50 to 25. Mr. Jenkins asked Mr. Shepard if what this chart is doing is just showing the landings and that it really does not have anything to do with the availability and abundance of the fish. Mr. Shepard stated that that was correct.

Mr. Vujnovich advised that they have an abundance of speckled trout in the Barataria Bay area, running from five inches to about eleven inches and asked how long does it take the fish to grow to fourteen /sixteen inches. Mr. Shepard answered that an eleven inch fish is approximately two years old, fifteen inch fish is approximately four years, so it will take about two year to get to fifteen inches.

Dr. Clark pointed out that one of the things that was brought up at the last meeting was that prior in the January to May figures it was shown that statewide the department was unable to detect a difference between what previous years were and what was going on this year. The Commissioners and other pointed out, at that meeting, to the department that if this was true then the department's data was not any good because they are out in areas and there are no spotted seatrout. The data showed today is that both things can be true stated Dr. Clark, ~~and in fact as far as the statistics are true.~~ The high salinity areas are carrying twice the number of fish this year, according to department samples, then they have carried in the previous three years including 1986 which was a record harvest year. The lowest salinity area is essentially carrying no fish. In the mid-salinity areas the department's catch ~~and gear~~ are down about a third. A lot of fishermen fishing in a lot of their favorite places to fish this year are not catching any fish and the department's data reflects this stated Dr. Clark.



Dr. Clark advised that the same analysis was done for the January to May period and comparing the data, coast wide, the department cannot detect any significant differences in most of the areas from the sampling this year versus previous years. When the department says there is no difference in previous years it is saying, on average, there is no difference but there are major difference *all* about where those fish are commented Dr. Clark.

*Mr. Jenkins asked how many test seines were being ran every month.*  
Dr. Clark answered sixty six different sites and *are flat* on the beach. There are twice as many fish in the nets on the beach. There are also a few sites in the very lowest end of some of the major bay systems. Mr. Jenkins commented that he has been on the beaches all summer and he does not know where all the fish are and he does not understand why there are twice as many fish in the nets and nobody is catching them even if you are fishing on the beach. Dr. Clark stated that there was another part of that data and that was almost all of the fish that were in addition to previous years averages were mostly the small fish. There are not twice as many catchable fish out there advised Dr. Clark. Mr. Jenkins asked how many test nets were in the high salinity areas? Mr. Shepard answered about ten stations in those areas. Chairman Pol stated that he has just given Dr. Clark about twenty five to thirty letters from people around the state that do not fish in one *they*

particular place. These are letters that Chairman Pol has received and everyone, except one, are suggesting that the season be closed to all fishing. Dr. Clark advised that the department does not have an ongoing creel survey so he does not know where people fish. If you look at the data that was just presented and if half of the people are fishing in areas that are considered low salinity or mid-salinity and ~~there~~ catch rates are not different from the department's gear catch rates than at least half the people who are fishing in Louisiana are mad because they are not catching fish because those fish are not in those areas to be caught. If the department knew more about where people are fishing then maybe some of the questions could be answered commented Dr. Clark. Mr. Jenkins asked why doesn't the department have a creel survey? Dr. Clark explained that the Office of Fisheries started in 1986 with a Marine Finfish Division that is completely funded with monies that were collected from the legislation that created the saltwater stamp. Right now the funds are running just over a million dollars. The Marine Finfish Section (twenty plus people hired in the section) is currently spending at or just above the amount of money that is being collected from the saltwater stamp. A decision had to be made on what the group of people should be doing and the decision that was made was to start ~~to~~ the program which resulted in the data which the Commissioners saw today (statewide with a set of resource monitoring, gill nets, trammel nets and bag seines). When this program was put together somebody had to make the decision on how to spend the money and they chose to spend the

money doing research monitoring rather than doing a creel survey. If there was more money Dr. Clark stated that he would start a creel survey but with the money available right now the department has a program ongoing and this program is not statewide. There is no program in Lake Pontchartrain or Lake Borgne and the money is being spent in the areas that the Commissioners just saw. Dr. Clark stated that he is defending the decision of spending the money in which it was spent and it is spent. A creel program is a fairly expensive program advised Dr. Clark. Mr. Jenkins asked if Wallop-Breaux dollars could be used for a creel program? Dr. Clark stated that they could. Secretary Van Sickle advised that they can only be used every once in a while, they cannot be used for ongoing yearly efforts which is against the rules to use the funds for ongoing continuous programs. There was a one year creel survey in 1984. Chairman Pol asked about the salinity problem from a biological standpoint and why since there has not been a lot of rain. Dr. Clark answered that we may not have had a lot of rain but other places had a lot of rain. The Mississippi River in either May or June was at a all time record high on all the gauges measured in New Orleans. Dr. Clark was out on the oyster seed grounds with Captain Vujnovich about a month ago and the water hyacinths were floating by and ~~there~~ were as green as you can imagine. You will not find ~~to~~ many spotted seatrout in that kind of water this time of year stated Dr. Clark. Chairman Pol asked about the Atchafalaya. Dr. Clark commented that by law the Atchafalaya takes thirty percent of the flow so whatever is going

9/2/84

on in the Mississippi is going on in the Atchafalaya. Secretary Van Sickle pointed the oyster lost as a result of the low salinities. Mr. Jenkins asked when the salinity would get better. Mr. Vujnovich stated that maybe he could answer this. If there is a small hurricane with about fifty to sixty miles an hour wind this would correct the salinity. This is what is needed to clean out the estuaries. Mr. Vujnovich commented that he believes that water pollution contributed greatly to the fish kill during the freeze in Louisiana. Around 1962 Louisiana had one of the biggest freeze the state has ever had but there was not too much damage done to the fish pointed out Mr. Vujnovich.

Chairman Pol asked that with the salinity problem, pressure from the sports fishermen, the netters, etc. is the spotted seatrout in trouble. Dr. Clark stated that he would give the same answer that he gave at the last Commission meeting and that is the data that was presented today shows that Louisiana is carrying almost no spotted seatrout in low salinity area, carrying only about a third of spotted seatrout in the mid-salinity areas and carrying twice in the high salinity area. Dr. Clark advised that he does not know to what extent the department is monitoring all the high salinity areas nor does he know to what extent they are as a proportion of the total habitat. The department is looking into this and has got some preliminary work that is being reviewed now but if all the spotted seatrout that are being measured in the high salinity areas are all bunched up on the beach then Louisiana probably has a

problem but people catch spotted seatrout out twenty miles. If the department's resource monitoring data indicates that twice as many fish are being carried in the high salinity areas and it goes out twenty mile then the state is probably in good shape stated Dr. Clark and just like any other scientific endeavor there is uncertainty. Dr. Clark advised that if the department had regulatory authority to make some changes in minimum size limits or bag limits, commercial quotas, he would be before the Commission recommending that this be done because of the lack of fish in those areas that the department demonstrates fish are missing. The only tool that is at the disposal of the department and Commission is to close the fishery and Dr. Clark advised that he cannot recommend this. Mr. Jenkins asked Dr. Clark what kind of evidence would the department need to say that there is a severe problem. Dr. Clark stated that he would be concerned if the high salinity areas were showing the same problems as all the other areas because then everywhere you looked you would not see any spotted seatrout. Mr. Vujnovich advised that in Barataria Bay the salinities are improving. Mr. Vujnovich's son takes the salinity reading when going across the bay. Last week the readings were in the twenties. Also thirty two beautiful speckled trout were caught last Saturday around Bilou Island.

Chairman Pol asked Mr. Mark Hilzim with the GCCA if he would like to speak. Mr. Hilzim stated that obviously this whole decision process is being based on one type of information and in a lot of

way is frustrating the Commission, department as well as it is frustrating others. Obviously whether or not there is the money, or how to spend the money on doing some other things is probably an issue that a lot of time could be spent on. The National Marine Fisheries Service does a statistical survey every year and aside from producing the information in a one-year total type of format they produce WAVES. It is Mr. Hilzim's understanding that these waves are two month waves. The normal distribution of these WAVES would be basically one-year after the wave occurred. Sometimes these waves are used to close a season, for example determining when the mackerel quota has been met. Mr. Hilzim asked if there was a chance, right now, that some very severe pressure be put on the federal government to see if Louisiana could not get the WAVES from the last several months and compare those to the average WAVES of the last five or six years and start trying to calibrate. It seem to Mr. Hilzim that the piece that is missing is what is happening offshore and ~~thinks~~ the people who fish offshore are going to tell you that there are no fish there. Dr. Clark stated he had a two-part answer. The National Marine Fisheries Service Marine Wreck Survey is a statistically valid survey only for the region. In other words when the NMFS closes the mackerel fishery they do it for the Gulf, Eastern or Western region and even when they are doing it for the Eastern and Western region they are stretching the data, and they know this, but they do it because it is the only data that they have available. If someone tried to take the WAVE data from the NMFS for Louisiana only you would be

well outside the boundaries of the statistical basis of that data advised Dr. Clark. Dr. Clark informed Mr. Hilzim that he in previous time periods had tried to hurry up the NMFS data and had been unable to do this. Dr. Clark stated that he will do this but does not hold <sup>out</sup> up much hope to get timely data, meaning anything within six months.

Mr. Hilzim asked Dr. Clark when the department expected salinity levels to improve and also does the department <sup>have</sup> has any kind of a feel for when the fish would move in and take advantage of the salinity situation? Dr. Clark answered that the department does have some of the August data but as far as predicting salinity levels coming back to normal he is not sure he wants to try it. The levels are improving pointed out Dr. Clark. The only data that the department has on the recreational data for 1983, 1984 and 1985 are the slides, by month, and could be used to try and determine when the fish would move back in after salinity levels improve. Dr. Clark stated that if he remembers right the catches did not return to normal until the following spring as early as May.

Mr. Hilzim asked what has the department done to correlate shrimp seasons and trout landings? One of the things that he has heard from a lot of people is that there is so much bait out in the water that it may be affecting the feeding. Also has the department looked at where the shrimp are and where they have not been since they follow salinity to some extent and make some sense with test

data to see if there is some correlation that the department can work with. Dr. Clark answered no to these questions and stated that he does not believe, that there is any indication that the distribution of shrimp this year is any different than in previous years. The department does not have any means to detect where shrimp are, especially after the season opens, except by the reports the department receives from the NMFS on where the landings were. One of the things that Dr. Clark remembers from this year's landing data was that the farther offshore you go you are going to get less shrimp landed as a percentage this year than in previous years. If there is a distribution of shrimp that is different this year is that they seem to be inshore commented Dr. Clark.

Chairman Pol stated that this Commission is not ~~say~~ we want to close the season, or we should close the season. This Commission fully realizes that if they are going to even consider closing the season it would be catastrophic to a lot of people, not only to the netters but to the marina operators, boat people, fishermen, and department. If the situation does not improve the department will not have as many fishing licenses sold thus affecting the department's income to operate and give the people the service that they should get.

Secretary Van Sickle stated that Mr. Garrity is in the audience and she is sure that he has gathered from the discussion that there is a problem. The problem is that the legislature does not meet



frequently enough to manage fish. The legislature has given the Commission the authority to adjust creel limits, quotas, bag limits on everything except for speckled trout and redfish. The Commission has shown that they are willing to take action and if in two months ~~that~~ high salinity area plummets rather than doing what Texas did which was go from a fourteen inch fish to a fifteen inch fish all the department has is to shut down everyone. This coming year, ~~the legislature regarding~~ speckled trout and red fish will be up for review ~~by everyone~~ and Secretary Van Sickle, <sup>in the legislature</sup> that she <sup>said</sup>

<sup>authority</sup> hopes that they will consider all of this and give the Commission and department, to adjust based upon the resource needs. Secretary Van Sickle asked Mr. Garrity if he would like to address the Commission.

Mr. Garrity thanked Secretary Van Sickle and hoped she has relayed to the Commission that he has been a faithful supporter of the department's legislation. Mr. Garrity stated that Secretary Van Sickle is right, the legislature has not relinquished control of redfish and speckled trout and in his personal opinion the reason has been that they are afraid of the Commission and wanted to control it. Mr. Garrity has supported the Commission management ability. Mr. Garrity stated that what the legislature is afraid of is some of the things that he has heard at this meeting. Mr. Garrity is not casting stones because he does not personally know any members of the Commission and does not know where they stand. You have Dr. Clark saying that overall in his opinion that

Louisiana does not have a problem with spotted seatrout and there is a discussion about closing the season commented Mr. Garrity. What is obvious to Mr. Garrity and what is obvious with his discussions with the fishermen on the East Bank is that what they have been telling him for three months is exactly what Dr. Clark has said. The fish are coming back in on the east side of the river right now stated Mr. Garrity and you do not have to go as far out today as you had to go out last week to catch the fish. In another month they are going to be in the marsh and the net operations of the department that are showing no fish being caught in low salinity areas will start showing fish, the mid-salinity areas are going to start showing more fish because the fish are coming in as the river is down and the freshwater is draining out. The legislature is afraid that the Commission is going to try and shut something down as punishment for somebody else or do something for some reason other than what is best for the resources. Mr. Garrity advised that he has never personally taken this position and in fact he has taken exactly the opposite position and unfortunately as in a lot of things in state government he has been in the minority. Mr. Garrity stated that he thinks the evidence is clear today and extended an open invitation to any member of the Commission to come fishing in Delicrox where they can catch their limit of fish in forty five minutes. Concluding Mr. Garrity stated that the fish are there but only further out and will not be back in the numbers that are expected until later on in the fall. What the department has shown is what common sense tells us and that is

spotted seatrout stay in high salinity water and when the high salinity water is further offshore that is where the fish are going to be. There are fishermen attending the meeting today with Mr. Garrity that are catching fish every day and they asked Mr. Garrity to speak on there behalf.

Chairman Pol asked if there were any other questions from the audience.

Mr. Pete Savoy representing the St. Bernard Sportsmen's League addressed the Commission. Mr. Savoy stated that doesn't the Commission think that common sense will kind of solve the problem. If the fishermen go out and make three or four trips and they do not catch any fish they are going to stop fishing on their own. If the word gets out that the fish are here then they are going to start fishing. If it is said that the season will be closed and the fish do show up the Commission will get all kinds of criticism.

Chairman Pol pointed out that the Commission is not saying that they are going to close the season and have never said this.

Mr. Savoy commented that one thing to think about would be if at any time in the future the Commission decides to close the season why not close it during the spring time when the fish are full of eggs. Another thing to think about is that since there is a limit on speckled trout and many people are getting undersized fish

and throwing it back and they have to catch seventy five fish to take home twenty five fish. Wouldn't it be better to let the people catch smaller fish and whatever they catch keep. This way they would go home with a smaller fish but the bigger fish would be there to produce. Mr. Savoy believes that a lot of this could be ruled with just good common sense.

*what extent*  
Ms. Jane Black, Organization of Louisiana Fishermen, Lafourche Parish, addressed the Commission. Ms. Black stated that in a effort to give just a little bit more data, although the commercial trout season is just a few days old, the commercial fishermen in their area which seems to have been identified as a high salinity area in this meeting by the department, are making profitable commercial fishing trout trips. They are having, what they tell Ms. Black, is an average year. Ms. Black stated that she does know to ~~that~~ the fish are on the beach. *one*

Mr. Kenneth Campo, owner of Frank Campo's Marina, Shell Beach, and representing Shell Beach, Oakdale and Yscloskey addressed the Commission. Mr. Campo stated that in the last six week the fish in their area seem to be coming back. The freeze was devastating to their area, it killed about hundred percent of the fish in the marsh and about ninety percent in Breton Sound from what was ~~saw~~ *seen* by the fishermen and caught after the freeze. The freeze in 1963 was not quite as bad as the one in 1989 but it was devastating on the marsh. There were no regulations in 1963 on the fish, the fish

picked up and every year after the freeze the fish increased commented Mr. Campo. There was another freeze in 1983 which was also devastating on the fish in the marsh and again there were no regulations. 1989 was probably the biggest year for speckled trout in their area for large trout advised Mr. Campo. These trout ran anywhere from two and half pounds up to five pounds; 1988-89 was probably the best two years for fishing in this area. The data for these years are going to show that less fish were brought in because of the quotas stated Mr. Campo. In the last six weeks Mr. Campo advised that the worst fishing trip they have had was fifty five trout with four persons fishing but in the last two weeks the limit of hundred speckled trout was made each time ~~for~~ 10:30 in the morning. This was in the ship channel around the jetties on the Mississippi River Gulf Outlet. In Lake Borgne Mr. Campo cannot say they are catching any fish other than the Shell Beach area along the south shore of the lake. Simple reason is people have not been able to get out to the east shoreline or the west shoreline because of the weather. Mr. Campo stated that the people who are talking about ~~that they are~~ not catching any fish in their whole area may be true and when they move into a new area to fish they are still not catching any fish because they are not use to fishing that area. Each area has got to be fished differently and people are not going to catch fish until somebody shows them, tells them what they are doing wrong or they stumble across what they are doing wrong. Mr. Campo asked if there was evidence to close

different areas would everything be closed at once or would one area be closed and others left open.

Chairman Pol stated again that the Commission is not proposing to close the season and are hoping that the fish will be there so that everybody can enjoy a plentiful harvest.

Mr. Campo stated that he understands that the Commission does not want the season closed but apparently somebody wants it closed somewhere.

Chairman Pol commented to answer Mr. Campo's question and move on with the meeting that under no conditions he does not think that this group of people would ever propose to close one area and not the other.

Mr. Jack Newman addressed the Commission. Mr. Newman commented that ten percent of the fishermen catch ninety percent of the fish and if you talk to the ten percent that catch fish you will have a different story.

Chairman Pol stated to Dr. Clark that the next meeting, which will be in October, will give him plenty of time to give the Commission all the information they will need and can move on from there. Dr.

Clark advised that hopefully they will have two more months of data by then.

At Thursday's meeting Dr. Clark presented the **Notice of Intent on Daily Bag and Possession Limit for Freshwater Trout**. Dr. Clark reported that what they have before the Commission is a notice of intent to institute a bag limit on a species of fish that does not occur in Louisiana waters. At the last legislative session the department begin the process in instituting a program of urban fisheries for the State of Louisiana. The step that was taken was that the department got the legislature to pass a piece of legislation that allowed the department to sell a stamp for freshwater trout. It is the department's intent to put freshwater trout in urban areas throughout the state, perhaps in some state parks, maybe even in swimming pools to provide a fishing opportunity during winter months for people who do not otherwise have a chance to fish. A bag limit will be needed on these fish and the department is recommending that a five fish bag limit be implemented. The bag limit will be only for those areas in which the program is being carried out and if by any chance some of the freshwater trout escape an area there will be no bag limit on them.

A motion was made by Dr. Hines and seconded by Mr. Jenkins to adopt the notice of intent for the daily take and possession limits for freshwater trout. The motion passed unanimously.

(The full text of the notice of  
intent is made a part of the record)

NOTICE OF INTENT

DEPARTMENT OF WILDLIFE AND FISHERIES  
WILDLIFE AND FISHERIES COMMISSION

TITLE 76

WILDLIFE AND FISHERIES

PART VII. FISH AND OTHER AQUATIC LIFE

CHAPTER 1. FRESHWATER SPORT AND COMMERCIAL FISHING

SECTION 147. DAILY TAKE AND POSSESSION LIMITS FOR FRESHWATER TROUT

The Louisiana Wildlife and Fisheries Commission hereby advertises its intent to establish a daily take and possession limit of 5 fish for freshwater trout, Salvelinus spp. and Salmo spp., taken in waters designated as being part of the Department's Freshwater Trout Program.

Interested persons may submit written comments on the proposed rule to the following address before October 19, 1990: Bennie J.



Fontenot, Jr., Administrator, Inland Fish Division, Louisiana Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, LA 70898-9000.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6, 56:326.3, and Act No. 376 of 1990 Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16: ( ).

At Thursday's meeting Dr. Charles Wilson gave an **Update on the Inshore Artificial Reef Program**. Dr. Wilson reported that this program was started about a year ago and at the Commission's request implementation was pursued for six artificial reefs using shell owed to the department by shell dredging companies for mitigation. The inshore program and the logistics in accomplishing are much more difficult than the offshore program which has been under way for four years. Two federal permits had to be applied for which were submitted in January of 1990. This deals with the Corps of Engineers District in Galveston, Texas which covers Sabine Lake and Jones Bayou and the New Orleans District which covers the rest of coastal Louisiana. The Galveston District issued the department a permit for the waters of Sabine Lake and Jones Bayou and the New Orleans District is awaiting a DEQ water quality certification. The permit is currently under review by the Department of Environmental Quality and should take another month

*Inshore  
The Program*

advised Dr. Wilson. A general permit has been sorted through both districts to allow artificial reef to be created in coastal waters using shell or other materials of opportunity with certain depth and size restrictions. The other part of permit application involves application to Department of Natural Resources to get a Coastal Use Permit. This allows for an area to be filled in. There is a fee of \$4.00 per cubic yard up to a maximum of two thousand dollars which has been paid and the permit received. This was paid for out of the Artificial Reef Trust Fund which was generated from the offshore program. Dr. Wilson pointed out that the state does not receive any money for this program and the inshore reef construction must come from money generated from the offshore program. As far as material goes, which is another issue that is holding up development of these inshore reefs once a permit is received, representative of the department have met with the Department of Natural Resources five times to follow up with the request for shell owed to the department and Secretary Van Sickle has written several to get this mitigation shell for the department. The most recent meeting was held in July and as a result of that meeting Mr. Gomez wrote a letter to all shell dredgers requesting a formalized compliance plan. Ms. Baker has received a letter from Dravo saying they agree they owe shell but the issue still is how much do they owe to the department. In terms of obstacles preceding the inshore program there is still another month or so to go in getting the inshore permit from the Corps of Engineers, waiting for shell from shell dredgers. There

is a problem with sighting artificial reefs because not knowing the amount of shell that is going to be made available to the program, not know the exact method of delivery of the shell to the program and dealing with waters ~~that have~~ varying depth ~~dredges~~ and vessels that shell dredgers may provide to deposit have depth restrictions. Another issue depends on what the department's priorities are for the shell. Queen Bess Island comes first which is restoring the pelican habitat and if only enough shell is received to do Queen Bess Island then you cannot do any artificial reefs commented Dr. Wilson. It is very difficult to plan an implementation program at this time ~~and~~ are just waiting to find out how much shell is to be received concluded Dr. Wilson.

Mr. Jenkins advised that he had this item put on the agenda because it has been going on for about a year and a half. This shell should have been collected way before now and this program should have been over with and there has not been one thing done commented Mr. Jenkins. Mr. Jenkins asked if there was anything that could be done to get this program going. Secretary Van Sickle stated that a lot of comments were received for information purposes. There was an outcry from the conservation community about using clam shell from shell dredging operations to enhance recreational fishing. Mr. Ed Lennox advised Secretary Van Sickle that just recently Mr. Ron Gomez from DNR wrote them a letter telling them that they had to provide the shell and basically telling them where to deposit it and Mr. Lennox wanted to know if the list came from

the department. Secretary Van Sickle stated that she has not seen the letter from DNR to the shell dredgers but the demand has been made on the shell dredgers to provide the mitigation shell. No one seems to have a problem with using shell from the dredging operation to rebuild Queen Bess Island commented Secretary Van Sickle. Mr. Jenkins stated that he has read the negative comments on using shell and he wrote a letter back to the department on all of the comments which were bogus comments. Dr. Wilson advised that the process is now with DEQ. Mr. Jenkins suggested that they be invited to the next Commission meeting and give a report. Dr. Wilson stated that it may be resolved by then but if not they could attend. Mr. Jenkins recommended to Secretary Van Sickle that if the permit issue is not resolved by the time of the next Commission meeting that the appropriate people ~~be~~ from DEQ be invited to the meeting to answer questions.

Chairman Pol asked if the shell that DEQ is demanding is the shell that is due the department from shell that is already dredged and has nothing to do with shell that will be or won't be dredged.

The answer is yes and Mr. Don Puckett advised that there will be a) accruing obligation based upon future shell that is dredged but there is already an obligation on shell ~~is accrued~~. Secretary Van Sickle asked if this shell is stockpiled or would they have to go out there and gather the shell. Ms. Baker advised that there had been a meeting to discuss alternatives that could take the place of shell if it was not available and everyone concurred that

limestone was an acceptable substitute as an alternative mineral. The stockpile of shell is very, very low stated Ms. Baker and everything that is taken out of Pontchartrain is committed. If the department were to run up on shell it would have to be taken from the central coast area and would be oyster shell. Chairman Pol asked if the reefs could be built with a different product other than shell. Dr. Wilson stated "limestone" for sure. Secretary Van Sickle stated that in the offshore reef program the big profile old rigs can be used but they cannot be used the inshore. There is almost one and a half million dollars in the bank that will pay for that program and the people to manage it, in perpetuity is what is planned, and within a year there will be another million dollars which can be used for fisheries research and there are other things the Commission can look to ~~and the department~~ in the future that can grow out of this program.

*and the department*

Mr. Jenkins stated to let's make sure to get DEQ to the next meeting. Secretary Van Sickle stated she thinks that DNR should also attend the meeting as they are negotiating the shell mitigation. DEQ does the permit. Secretary Van Sickle asked Ms. Baker to remind her of this as this needs to be done very quickly.

At this point in the meeting Secretary Van Sickle recognized the Director from California, Pete Bontadelli who was in New Orleans to join all the other state directors for the International conference.

At Thursday's meeting Colonel Winton Vidrine gave the **Monthly Enforcement Report**. Colonel Vidrine reported the following cases for the month of August.

Region I - Minden - 106 cases  
Region II - Monroe - 83 cases  
Region III - Alexandria - 100 cases  
Region IV - Ferriday - 48 cases  
Region V - Lake Charles - 269 cases  
Region VI - Opelousas - 309 cases  
Region VII - Baton Rouge - 288 cases  
Region VIII - New Orleans - 420 cases  
Region IX - Gray - 521 cases

A lot of these cases were shrimping in close season stated Colonel Vidrine.

*Were seized*  
The two offshore boats had a total of 182 citations issued and out of these ~~there was~~ 130 were for trawling in close season. There were about 50 boats confiscated and seized about 95 trawls. 34,000 pounds of shrimp and sold them for \$71,500. This money was put into escrow and as soon as the cases are disposed of it will be transferred into the Conservation Fund. There is a grand total of \$116,000 being held in escrow from confiscated shrimp that was sold.

The pilot in New Iberia issued 47 citations which included 35 oyster citations and 12 shrimp citations and the Oyster Strike Force issued 33 citations.

The total number of citations issued for the month of August was 2,646 which is probably the highest number of citations ever issued ~~that is on record~~ for this particular month stated Colonel Vidrine.

Colonel Vidrine advised that he had put together a report for the dove hunting cases that were made statewide this past weekend. This was made in cooperation with the state agents and the U.S. Fish and Wildlife Service agents. A total of 243 citations were issued and of these 243 citations there was a 190 issued for hunting doves on baited areas.

For point of information Colonel Vidrine advise in the last two months fifteen new agents have been hired and these agents will start going to the State Police Academy on September 17 for a period of about ten weeks.

Chairman Pol asked what was done with the big boat down on the Atchafalaya Delta area. Colonel Vidrine advised that it is still there and was utilized during the past shrimp season by agents from the Fur and Refuge Division and Enforcement Division. Colonel Vidrine stated that his people in that area felt that instead of

taking the Atchafalaya Delta and assigning it to the Enforcement Division they would prefer having the twenty five ~~Boston Whaler~~, which they have in possession and are now using.

Chairman Pol asked if there was anyone who would like to ask Colonel Vidrine any questions.

*Castellin*  
Mr. Eddie ~~Castilline~~ addressed the Commission and stated that it does not take a rocket scientist to play with these numbers. There were 2,646 citations statewide with 951 being made in Regions VIII and IX. This is southeast Louisiana quadrant where the outlaws live. Has the Commission and department ever taken a look at the manpower in Regions VIII and IX. The manpower down there is critical in the southeast region of Louisiana stated Mr. ~~Castilline~~ and the department had better move some agents and equipment down there. Captain Dares is doing a good job but his legs are tied and he needs help. Mr. ~~Castilline~~ asked that something be done quick about this situation. *Castellin*

Mr. Jenkins commented that the majority of the Commission recognizes this problem. At the Lafayette meeting two and half years ago there was a unanimously resolution which passed the Commission which basically said that the department was to reallocate its resources, its manpower, its money and whatever it had on the bases of where the crimes were being committed. This is what the Commission is suppose to be done and this might be an



*Time*  
appropriate to ask Colonel Vidrine where the department is with this. Colonel Vidrine advised that with the fifteen agents that are being hired there are at least twelve situated in coastal parishes. Chairman Pol asked about the transferring of agents from north Louisiana during slow times to high crime areas. Colonel Vidrine stated that they were used this past season in the month of June, July and August and most positions are being put in the coastal areas. It is hard to get enough people to apply for these jobs in this area of the state. Colonel Vidrine pointed out that he has interviewed the same twelve people who are on about eight different list and some of the applicants are problems and he was not going to hire a problem child. As far as equipment, the division has the best equipment it has ever had since Colonel Vidrine came to work for the department twenty one year ago. Also the department has better trained agents now than they have had in twenty one years. Secretary Van Sickle pointed out that when Region VIII was split into two regions this was one of the department's attempts to split up the workload so there would be two regions to allocate more resources into the area. The department still has not done enough stated Secretary Van Sickle and agrees with Mr. ~~Castilline~~. *Castelin*

Colonel Vidrine stated that just for a point of information that the Class 1 Violation monies that will be generated will be committed to hiring eighteen new agents statewide at two per region

and will give the area four new agents. There is a big turnover in the coastal parishes commented Colonel Vidrine.

Chairman Pol called for a motion to adjourn the Thursday, September 6, 1990, Commission meeting and reconvene at 9:00 a.m. on Friday, September 7, 1990. Mr. Jenkins made a motion for adjournment. The motion was seconded by Dr. Hines and passed unanimously.

Chairman Pol called the Friday, September 7, 1990, Commission meeting to order.

At Friday's meeting the Ratification of Public Oyster Seed Grounds - Vermilion, East and West Cote Blanche and Atchafalaya Bays was brought before the Commission. After a short discussion a motion was made by Mr. Vujnovich to ratify the rule. The motion was seconded by Mr. Jenkins and passed unanimously.

(The full text of the rule is made  
a part of the record)

#### RULE

DEPARTMENT OF WILDLIFE AND FISHERIES  
WILDLIFE AND FISHERIES COMMISSION

#### TITLE 76

WILDLIFE AND FISHERIES

## PART VII. FISH AND OTHER AQUATIC LIFE

### CHAPTER 5. Oysters

#### SECTION 107. Public Oyster Seed Grounds - Vermilion, East and West Cote Blanche and Atchafalaya Bays.

The Vermilion, East and West Cote Blanche, and Atchafalaya Bays Public Oyster Seed Ground is described as that portion of state waterbottoms beginning at a point of land on the southwest side of Southwest Pass, (y-335554.00) (x-1,774,683.00), thence S 31 54 44 E 4300.4 feet to Lighthouse Point on the southeast side of Southwest Pass and the most westerly point of Marsh Island (y-331,903.69) (x-1,776,956.24), thence along the south shoreline of Marsh Island to the point known as South Point (y-298,750.40) (x-1,863,189.50) thence S 74 10 18 E 5278.6 feet to a platform (y-284,352.82) (x-1,913,973.65) thence S 68 18 41 E 75,154.9 feet to Eugene Island (y-256,578.31) (x-1,983,808.02) thence S 35 17 41 E 17,453.6 feet to Point Au Fer (y-242,332.84) (x-1,993,892.44) thence along the southeastern shoreline of Atchafalaya Bay to South Point (y-257,413.00) (x-2,031,117.00) thence N 29 36 41 E 7455.7 feet to the north bank of Four League Pass (y-263,895.00) (x-2,034,801.00) thence along the eastern shoreline of Atchafalaya Bay to the east bank of the Atchafalaya River (y-294,175.00) (x-2,020,925.00) thence N 80 57 36 W 6001.5 feet to the west bank of the Atchafalaya River (y-295,118.00) (x-2,014,998.00) thence along

the north shoreline of Atchafalaya Bay to Bell Isle Point (y-312,510.00) (x-1,969,990.00) thence following the shoreline of New Pass to a point on the west bank of New Pass (y-318,375.00) (x-1,967,345.00) thence westerly along the North shoreline of Atchafalaya Bay to Point Chevreuil (y-309,951.00) (x-1,930,415.00) thence northerly along the shoreline of East Cote Blanche Bay to Point Marone (y-352,112.00) (x-1,898,410.00) thence northerly along the east shoreline of West Cote Blanche Bay to the East side of the Jaws (y-389,415.00) (x-1,909,020.00) thence N 64 01 41 W 4407.1 feet to the west side of the Jaws (y-391.345.00) (x-1,905,058.00) thence westerly along the north shoreline of West Cote Blanche Bay to Cypremort Point (y-380,726.00) (x-1,826,461.00) thence northerly along the east shoreline of Vermilion Bay to Little Mud Point (y-412,498.00) (x-1,836,480.00) thence in a southerly direction along the shoreline of Weeks Bay to the east bank of Shark Bayou (y-403,692.00) (x-1,840,583.00) thence northerly along the west shore of Weeks Bay to a point at the Mouth of Bayou Carlin (y-422,780.00) (x-1,841,195.00) thence westerly along the north shoreline of Vermilion Bay to Mud Point (y-382,749.00) (x-1,741,026.00) thence continue along the shoreline to a point at the southeast corner of Little White Lake (y-395,495.00) (x-1,738,384.00) thence along the shoreline of Little White Lake to Buck Point (y-391,673.00) (x-1,736,065.00) thence continue along the shoreline to Redfish Point (y-375,420.00) (x-1,786,260.00) thence southerly along the west shoreline to Vermilion Bay to a point at the mouth of Hog Bayou (y-346,604.00) (x-1,752,950.00) thence along the shoreline of Hell

Hole to a point at the northeast corner of Hell Hole (y-347,496.00) (x-1,755,604.00) thence easterly along the shoreline of Vermilion Bay to Indian Point (y-352,201.00) (x-1,777,875.00) thence southerly along the shoreline of Vermilion Bay and Southwest Pass to the Gulf and the point of beginning.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:434.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16: (September, 1990).

At Friday's meeting Ms. Bettsie Baker reported on the **Surplus and Sale-New Orleans Property.**

Ms. Baker advised that there were two items that she needed to inform the Commissioners about. At last month's meeting the Commissioners were informed about the sale of the parking garage. The department was not able to sale the property on Chartres Street because of asbestos problems so Ms. Baker has been working with asbestos demolition people to get estimates on what this was going to cost. Rather than just coming up with estimates so that the department will have a better price out of this piece of property, Ms. Baker has requested that the state conduct asbestos demolition activities on the piece of property. There is a state pool that is used for asbestos demolition in state buildings and the New Orleans building does qualify for it. The department will proceed

with this and then offer the Chartres Street property up for sale as soon as possible once the process is initiated. The department is looking at about four to six weeks to have the asbestos removed and then can concurrently start re-advertising the property. The sale will probably be a sealed bid sale advised Ms. Baker.

The second items brought before the Commissioners by Ms. Baker was the disposition of 400 Royal Street. There has been several requests out of the Governor's Office and the Commissioner's Office for the department to go ahead and dispose of the 400 Royal Street property. The department, according to Act 887 of the 1987 legislature, has the authority to declare any piece of property as unnecessary and through a strict process that can be followed to surplus the property. The department can go through the State Land Office, declare the property surplus and transfer it over to the Division of Administration. At that point in time the Division of Administration can do whatever they wish. As everyone knows they would like to transfer this property over to the Supreme Court and they would like to do it as quickly as possible. Ms. Baker requested permission from the Louisiana Wildlife and Fisheries Commission, since the building is formally in their name, to go through the Surplus Property process. The Supreme Court has some timetables that they are interested in doing with making some declarations regarding the property. Ms. Baker did request that the employees not be evicted from the building if it is declared

surplus and are working with diligence at finding new housing location for the office in New Orleans.

Chairman Pol advised that he knows the Commission, according to Mr. Puckett, Legal Counsel, has to sign the sale but knowing politics and being associated with it so long Chairman Pol personally would not like to start the Surplus Property process until the department has the money (twenty million) for the building. Ms. Baker stated that she had received a letter from Mr. Dennis Stine. Chairman Pol commented that Secretary Van Sickle had informed him of the letter and it states what the department is going to get but talking about the third quarter. The state is still in the first quarter and will be out of it at the end of the month advised Ms. Baker. Chairman Pol pointed out that the department has six more months to wait before the money is even transferred. If there could be a definite commitment that the money goes to the department this would do but there have been things promised before and they never came about commented Chairman Pol. Chairman Pol stated that he was not speaking for the Commission but just for himself but wants what is best for everyone. Ms. Baker advised that she understood Chairman Pol's problem. Mr. Jenkins asked Ms. Baker to explain the bond process and what does the state actually ~~has~~ <sup>have</sup> to do with it. Ms. Baker explained that it falls into two different steps. The first step is the budget process when you have your legal appropriation that comes forward through the legislature which has been done. There is eighteen million dollars for land acquisition

5

and six million dollars for the fish hatchery in the proper budget accounts. The next step is that the state actually has to go through the process of offering bonds for sale. There has not been a bond issue in two and half years and this will be the first one that is coming forward from the state perspective. Ms. Baker thinks the bond will be very well received and she had talked with Mr. Stine about this particular issue and he did not anticipate any problems. Mr. Jenkins asked when this would be done. Ms. Baker stated that she understands there will be a offering coming up in late September, early October. Mr. Jenkins advised that he kind of believes like Chairman Pol and thinks it would be a good idea to have some kind of additional insurance that this is all going to take place and wait to see what happens with the bonds. Secretary Van Sickle stated that there was a lot of trust that went into this whole business of giving the department twenty something million dollars through the commitment of Mr. Stine and basically what is being said is that his word is not good enough. Trust is what you are talking about here commented Secretary Van Sickle. Dr. Hines recommended that the item be put on the agenda for October and then maybe between the department's legal staff and the Governor's office a legal commitment could be obtained that the department would get the money upon at which time the department would turn the building over to them. Secretary Van Sickle advised that all they can give the department is a legal appropriation and we have that. Chairman Pol asked Mr. Puckett what he thought. Mr. Puckett stated that he cannot think of another mechanism that the



department could use. Chairman Pol asked what was the schedule on selling the bonds. Ms. Baker stated that she believed the new issuance will be in thirty days but will talk with Mr. Stine and get further information on this. Chairman Pol stated that the Commission is not mistrusting Mr. Stine or anybody else even though the legislature does not trust the Commission. Chairman Pol commented that he agrees with Dr. Hines recommendation. After further discussion on this issue Dr. Hines asked if it would be possible for a resolution to be drawn up and passed transferring the building to Surplus Property providing the department receives x number of dollars for land acquisition, etc. and specifying a time frame in the resolution. Dr. Hines believes that there is some legal mechanism that the Commission can assure that the funds are obtained that have been promised in exchange for declaring the building surplus. After a short discussion on the time frame and how long it would take to purchase new property Secretary Van Sickle pointed out that legislative has appropriated money to renovate the building and it has to be spent this year. The department cannot give them the building and then take it back commented Secretary Van Sickle. Dr. Hines asked that the department research the issues on the building between now and the October meeting. Chairman Pol asked if it was agreeable with the Commission that this be placed on the agenda for action for the October meeting. The Commissioners concurred with Chairman Pol that this item be placed on the agenda for October.

At Friday's meeting Chairman Pol advised that Mr. Don Puckett, Legal Counsel, had an item requested by Dravo, Co. on shell dredging to be taken up under **Other Business**.

Mr. Puckett reported that a request was received this week on behalf of Dravo from their attorneys asking for a waiver under the provision of the lease. The lease itself provides for a guarantee annual minimum royalty of six hundred and forty thousand dollars a year. The Commission will recall that this was an amount that was placed on the lease to make sure that at least a minimum of dredging took place to insure ~~that~~ at least a minimum amount of revenue for the department. There is a provision in that clause that allows the Commission to proportionally reduce the amount of that royalty if for reasons beyond Dravo's control dredging ~~seizes~~ or does not occur. Dredging, in this particular case, was suspended in the lake by the department as a result of DEQ Water Quality Certification permit denial. Mr. Puckett stated that he understands that this denial is on appeal but in any event he has looked at the paragraph that provides for the reduction and it is his opinion upon reading the paragraph that it is the prerogative of the Commission if they choose to proportionally reduce that guarantee annual minimum royalty. Mr. Puckett gave an example of reduction by proportion saying that if dredging was to occur for six months out of the ~~oncoming~~ lease year the Commission could proportionally reduce it by fifty percent. If the Commission chooses to do this stated Mr. Puckett it would be his

*Closes*

recommendation not to take formal action at this meeting but rather give him another month to have a formal resolution prepared because basically you are talking about language that would have to be as precise as the lease itself. If this is the Commission's pleasure then this item can be taken up at the October meeting for consideration stated Mr. Puckett. Mr. Puckett advised that Mr. Franklin Dravo, was attending the meeting and if it is his pleasure to address the Commission, Mr. Puckett has no objections.

Chairman Pol advised Mr. Franklin that they would be happy to have him address the Commission and that the Commissioners had already talked to Mr. Puckett about this. It is basically the feelings of the Commission that reduction is fair but in order to comply with everything the Commission will defer and wait for Mr. Puckett's resolution.

Dr. Hines asked if the Commission was crossing that bridge before they got to it as you are talking about September of next year. He suggested that the Commission ~~does~~ not take any action at this time on changing the lease now when the amount of time for dredging is not known at this point. The Commission should wait and see what happens. Mr. Jenkins commented that he thought Dr. Hines had a good point and the Commission has got to the end of the year to address this question.

Mr. Franklin stated that they just wanted to bring this issue up and make the Commission aware of what was going on. Mr. Franklin thinks the DEQ hearing will be sometimes in October but does not know the exact date. There is no telling how long the hearing process will take and the final decision will occur.

Chairman Pol advised that if there are no objections the Commission will defer action on this issue until a later date and stated that Dravo will be treated fair by the Commission.

At Friday's meeting Secretary Van Sickle gave the **Secretary's Report to the Commission.**

Secretary Van Sickle advised that she had a lengthy report and some items that are important to the Commission and the department.

The hunting pamphlets have been distributed and ~~was~~ printed at a cost of \$29,400 compared to the cost of the 1988-89 pamphlet which was \$87,835. The savings to the department is right at \$50,000. This was done through small advertisements that do not obscure the bulk of the regulations. There have been no negative on the pamphlet.

A letter was put in each Commissioner's folder from Mr. Puckett to the House Legislative Services on recodification of Title 56. Title 56 in general is a mess and is very hard for the law

enforcement agents to comprehend especially when you have three parts that address shrimp. The letter to the House Legislative Services is self-explanatory and very straight forward. There will be no substitutive changes and will just basically remove the laws that have been repealed. Mr. Puckett has proposed how it should be organized. This will cost around \$10,000 and will be done by the House Legislative Services.

Mr. Vujnovich attended a hearing that was held in New Orleans last week on the red snapper. There were about two thousand people at the hearing. The proposal that the Gulf Council has that the shrimpers were commenting on was to basically eliminate the spring shrimp season offshore, from the beach out. May, June and July would have been closed to shrimping Gulf wide. In addition, in 1993 the shrimpers would be required to pull a fish excluder device (FED). The problem was pointed out that such a device does not exist at this time and it took four to five years to develop a TED and require it. On the recreational size they were going to go from a seven fish bag limit to a two fish bag limit and the commercial ~~directive~~ quota was going from 3.1 million pounds to 1 million pounds. Most of the people who commented were shrimpers and a few snapper fishermen did talk. Because of the outcry from the shrimpers across the Gulf, from Galveston to Mobile and even in Florida, against this the states may be successful in defeating this proposal. The Gulf Council will be meeting in New Orleans in two weeks and they will vote on the measure. Basically what the

6

Gulf Council is saying with this proposal is that they are going to take away the Commission's right to set offshore shrimp seasons. Governor Roemer attended the meeting and stated that he would be willing to go to court over this if he had to. Mr. Jenkins asked why the Gulf Council was making this proposal. Secretary Van Sickle answered that snappers slots have declined and the juvenile snappers are killed in shrimp trawls. There is a lot of debate as to how many of these fish are being killed. Several things that are known that makes this proposal not make sense are 1) only three to five percent of these juvenile fish are killed east of the river so why impose this is on Mississippi, Alabama and Florida; 2) sixty three percent of the juvenile snapper mortality occurs off of Texas with a lot occurring off of Louisiana in the Plaquemines parish area and southwest Louisiana; 3) occurs in water that is eight-nine fathoms and deeper so why close from beach out. The rationale of the Council is that it would be economically good for shrimping. All the shrimping associations are opposed to this, the Louisiana GCCA was opposed, and the Alabama GCCA was also opposed to this proposal.

ms +

Representative John Smith called and was upset because the Youth Hunt was eliminated on the Boise-Cascade property in Vernon parish which is one of the department's wildlife management area. There were one hundred and twenty two kids that participated in this Youth Hunt on the area. From a law enforcement perspective there is a problem with going back and putting it in the regulations.

In the new hunting pamphlet it is stated that the area <sup>is</sup> opened to adult hunters for that weekend and if it is changed to a Youth Hunt no cases could be made on adult hunters that did not know the Youth Hunt provisions. Secretary Van Sickle suggested that Representative Smith and others that are interested in this Youth Hunt be told that the department will do this next year unless the Commission wanted to go ahead and add this in. Chairman Pol asked how this could be done. A public notice could be sent out. The hunting pamphlet regulations states that these are only part of the regulations and may not included everything there is. After a careful review of the hunting pamphlet Dr. Hines advised that it was determined that Boise-Vernon WMA is in Area 3 and the hunting season for Area 3 is November 3 to November 30, still hunting; December 1-7, muzzleloader; December 8-January 1, still hunting. On Boise-Vernon the hunting is November 3-16; November 18-21; and November 25, bucks only; November 17, 23, 24, either sex. In the wildlife management areas that open on November 3 for bucks only the Youth Hunt is on October 27-18 and those that opened on November 23 for hunting the Youth Hunt is on November 3-4. Dr. Hines stated that he does not see how a Youth Hunt on October 27-28 would cause any major problems in that area (Boise-Vernon WMA) unless it would be a manpower shortage in the Game Division to where the hunt could not be supervised or ~~issue~~ permits. Secretary Van Sickle stated that Dave Morrison did indicate that manpower was one of their considerations. Mr. McInnis advised that he has talked with Representative Smith and he was certainly disappointed

*issued*

with the Youth Hunt being eliminated this year but he is concerned, as Enforcement is concerned, that once these regulations are published you cannot effectively prohibit people from using the area other than youth. Mr. McInnis stated that if it is the desire of the Commission to have both hunters on site at the same time this is something Enforcement can work with. The bow hunting season, squirrel season, rabbit season, etc. are all open on the area at the same time pointed out Mr. McInnis. Chairman Pol asked if the Commission had no objection to let Secretary Van Sickle and Mr. McInnis work this out and if possible honor Representative Smith's request concerning the Youth Hunt on Boise-Vernon. Secretary Van Sickle stated that the department did not want to endanger the kids out there and at this point it sounds like the department may not be able to do this but will look into it further and if it looks like it is not a safety problem maybe it can be done. Secretary Van Sickle asked the Commission if this does present a safety problem may she tell Representative Smith that next year we will have a Youth Hunt on Boise-Vernon. The Commission concurred with this request.

Updating the Black Bass Management Plan a statewide attitude and opinion survey was done on several thousand freshwater anglers and the survey has been completed, it was several pages long and not anything like the dog-still hunting survey that was done. There was a lot of information including questions about slot



limits, etc. to try and get the angler's opinion of the proposals that have been included in the proposed Black Bass Management Plan. LSU is doing the statistical analysis and have gotten a three week extension because they could not provide the department with the report within the time frame. Regulations should be presented to the Commissions at the October or November Commission meeting.

The Commission had asked the department to look into the problems of the abandoned Texaco oil field in Hackberry Bay and what recourse the Commission would have for making these people clean up their mess. A letter was written to Mr. Ron Gomez, Secretary, Department of Natural Resources (DNR), about the complaints of oil field debris in Hackberry Bay. Mr. Gomez referred the complaint to Mr. LeBlanc in the Lafayette office who is in charge of violations. Mr. Ron Dugas and Mr. Ron Danier of the department held a meeting with the commercial fishermen in Hackberry Bay. The DNR people were basically appalled at the trash that had been left behind and had never gone in to the area to check. At this point DNR thinks they will be able to help the department. Mr. Vujnovich added that he had received about three telephone calls from the Texaco Oil Company representative wanting to know what was wrong in there and he told them. The representative informed Mr. Vujnovich that they had a ten year plan to clean this area up and Mr. Vujnovich suggested that they get in touch with the department and speed this cleanup up. Texaco has had some meetings with DNR and are realizing the danger there is in Hackberry Bay. Secretary

Van Sickle asked if there were any other areas that needed looking at. Mr. Vujnovich stated that there is Quarantine Bay area and Black Bay. A lot of boats have been hooking pipes when they are fishing these areas. Secretary Van Sickle advised Dr. Clark that Mr. Vujnovich asked that Quarantine Bay and Black Bay areas be looked checked into for cleanup and asked that this be look into. *ed*

*occurred*  
A fish kill ~~accid~~ in the Grand Isle area and the problem that the department contributes the kill to is low dissolved oxygen. Secretary Van Sickle passed around pictures taken of the fish kill. A formal report has been put in each of the Commissioner's packets that basically summarizes the results of the field survey. The dissolved oxygen in Caminada got down to "0". There are dead zones in the Gulf and every year this occurs off the Louisiana coast stated Secretary Van Sickle. This year it was much more severe in this area then it has been in the past years. The majority of the fish that ended up in the kill were small fish and forty seven percent that were found on the beach and water were croakers, twenty six percent were sea catfish, .7 percent were speckled trout and only .8 percent of the numbers of fish were red drum. One percent of the fishes that were killed were redfish and even though *it looks bad the number were lower.* Offshore fish kills were also reported by oil companies helicopter pilots but after flying for two day, fifteen miles out, nothing could be located advised Secretary Van Sickle. Also it was reported that the water was red

which would have indicated "red tide". Test were done and there were no dinoflagellates in any of the samples done on the fish or the water. When there is a fish kill as this the department goes out with DEQ and they will do a more intensive analysis of the water itself. The total fish killed, in the entire area, was between one hundred thousand and a hundred a fifty thousand right at half of that being croaker.

Yesterday the Marine Spill Response Commission made an announcement that is very significant to the state. There is an organization called PIRO which is a Petroleum Industry Response Organization nationwide that is trying to take care of the industry's response to an oil spill. They have announced that they are going to have two oil spill cleanup facilities located in Louisiana. One will be in Venice and one will be at Lake Charles. Prior to the Mega Borge spill they had only talked about putting one in the entire Gulf. Other are located in Mobile, Galveston and Corpus Christi.

At the next Commission meeting there will be on the agenda an item on the Marine Fisheries Management Policy. A finfish panel has worked on this for a year and basically it is a state policy on how Louisiana manages marine fish. Secretary Van Sickle asked Dr. Clark to send a copy of the draft policy to each Commissioner.

Secretary Van Sickle distributed to the Commissioners a letter that was prepared by Mr. Puckett at the request of Mr. Jenkins. This

letter outlines the different authorities, as best Mr. Puckett could determine, for the Commission and the different authorities for the department. Secretary Van Sickle asked Mr. Puckett to summarize the letter. Mr. Puckett stated that the letter basically outlines the respective powers and authorities of the Commission and the department. The law book presently provides something of a hodge-podge of laws that have been passed throughout the years. With the advent of a 1975 Constitution and the subsequent creation of the department along with nineteen other Executive Branch departments it placed into some questions the respective duties of the Commission and the department. Mr. Puckett pointed out that he has tried to reconcile the existence of the two agencies and how they fit together. The Commission, as Mr. Puckett reads it and as presently set out in Title 56 is a resource management agency, in other words it is pretty clear that throughout Title 56 the Commission has been given specific grants of power concerning the resource with regard to seasons, game, fish, etc. The question concerning the actual administration of the department itself and what Title 36 did is set up the Secretary which is under the Governor's control and supervision. This has to be squared with the provisions in the beginning of Title 56 which talk about the Commission through its Secretary or for some instances through its Director. As best as Mr. Puckett reads this there are instances within which the Secretary answers directly and only to the Governor and those concerned areas of the administration, or operation, or enforcement of the department and its functions.

There are other instances when the Secretary serves as the Chief Executive Officer of the Commission and those are those instances where ~~in~~ the Commission clearly has authority to regulate the resource. As a general opinion Mr. Puckett thinks most of these instances can be resolved and those instances that are on the line or in the so called gray area the Commission and department will try to address them as best they can on a case by case basis.

At the last Commission meeting the Commission without any discussion whether or not it was the role of the Commission basically instructed the department staff to repair an airplane that had been crashed, was on an unauthorized flight, flown by a pilot who was not authorized by the FFA, and ran out of gas. The plane would cost \$35,000 to repair or buy a second hand plane for less than \$35,000. The insurance would cover \$5,000 and the department had made the decision on what to do with this piece of equipment. Subsequent to this some of the staff lobbied a Commission member and in front of the public basically argued with the management staff of the department about the situation. According to Mr. Puckett, department legal council, this issue is something that is the department's responsibility. Ms. Baker wrote a memo to Mr. Stine, very unbiased, basically asking for concurrence for what the Commission wanted to do but she did say that this was something the department did not support and Mr. Stine did not concur. Mr. Stine controls all the state aircraft. Secretary Van Sickle pointed out that at this point the aircraft is being

disposed of but it does leave something on the record and asked that the Commission address this again. Since Mr. McCall was the Commissioner who brought this up and was not able to attend this meeting, Secretary Van Sickle asked that the Commissioners, at the next Commission meeting, reconsider this particular item. She also asked that they read Mr. Puckett's letter and if there is not a clear understanding of who does what regarding equipment, personnel, and basically running the day to day operations of the department there will continue to be problems.

Secretary Van Sickle asked Mr. Kell McInnis to summarize the status of the Atchafalaya Delta manpower and equipment allocations to bring the Commission up-to-date.

Mr. McInnis reported that last year at the request of the Commission the department took a look at the Atchafalaya Delta and its operation. Secretary Van Sickle directed the Fur and Refuge Division to prepare some information for her review, a long term management plan for the operation of that facility, and took a close look at the equipment that was assigned to that particular area. A plan was received but sent back for further work and is still be refined to some extent. It cannot be a rigid document because of the interactions with the Corps of Engineers and other outside parties to the department. Mr. Jenkins yesterday had asked a question about the status of the Atchafalaya Delta boat. The crew boat has been utilized in cooperative efforts with the Law

Enforcement Division. A great deal of the equipment has been utilized and cooperation with the Fur and Refuge out there has been very good. The Fur and Refuge Division currently ~~have~~ <sup>has</sup> two people on the area and ~~have~~ <sup>with one</sup> one vacancy and one position was transferred from the Atchafalaya Delta group in Fur and Refuge to the Enforcement staff in Region IX. That vacancy that was transferred to Enforcement has been filled and the cadet will begin his formal training through the academy on September 17 but has been down in the area and working the personnel. Enforcement has utilized the Atchafalaya Delta for a total of six time during the last four months for law enforcement purposes ~~in cooperative working through~~ <sup>during</sup> the shrimp season. The boat has specifically good uses for this type of activities but very limited in where it can go. There was also a twenty five foot Boston Whaler that was rigged out with out drives and has loran, radar, much faster speed and can go in shallow water. After sitting down with Fur and Refuge staff and Enforcement staff a decision was made that the Boston Whaler was much more feasible and Enforcement would get much more use out of transferring the Boston Whaler for regular day to day operations in the Enforcement Division in that area as opposed to the crew boat which was more limited in its particular use. The cooperation between the two division in that area and the utilization of the equipment by both Fur and Refuge and Enforcement is a vast improvement ~~of~~ where it was a year ago concluded Mr. McInnis.

Mr. Jenkins thanked Secretary Van Sickle for the report and believes that a good job is being ~~doing~~ <sup>dore.</sup> Secretary Van Sickle stated that at this point she thinks it is off in the right direction but still has some concerns about some of the equipment allocations and will be dealing with this.

There has been a lot of interest in the Deer Season Advisory Group from the public. This has been discussed with Chairman Pol, ~~and at~~ <sup>length</sup> way Mr. Jones has worked with Chairman Pol to come up with a proposed makeup for this particular task force. At this point in the meeting Secretary Van Sickle presented the membership recommendation to the Commissioners and asked for their concurrence so that it could be noted today in the record. Those recommended for the task for are:

**Senate** - Joe McPherson

Rodney

**House** - ~~Robbie~~ Alexander

**Still Hunters** - Gordon Hutchinson, President, LA Still Hunters Association; Jim Dunlap, President, North LA Still Hunters Association; Jessie Fontenot, Morgan City, representing the still hunters.

**Dog Hunters** - Randy Lanoux, President, South LA Dog Hunters Association, Ascension Parish; Charles Wolmack, President, LA Dog



Hunters Association; Warren King, President, Hunters Against Poachers, Gonzales.

**Landowners** - Paul Dixon from North Louisiana, Shreveport and real active in the Nature Conservancy; ~~Cotton Fairchild, Krotz Springs.~~ *and*

Secretary Van Sickle advised that none of these individuals have been contacted yet because the Commission concurrence was needed and if the Commissioners would like to add someone or would like to make comments do so at this time.

Mr. Jenkins made a motion that the list for the Deer Management Advisory Group be adopted. The motion was seconded by Mr. Foret and passed unanimously. Secretary Van Sickle advised that if anyone declines she will come back to the Commissioners with a replacement. Chairman Pol stated that since he is in Baton Rouge and this should occur that Secretary Van Sickle can just call him.

Mr. Johnnie Tarver has transferred from the Fur and Refuge Division and is now the Chief for the Habitat Conservation Division leaving a vacancy in the Fur and Refuge Division. There is also a Chief's vacancy that will be filled in the new Research Division in the Office of Fisheries.

DEQ is proposing some new regulations and at the next meeting Secretary Van Sickle would like to set aside fifteen minutes to let

them present to the Commission the findings of a study that they have just completed on the "Effects of Produced Water Discharges on Oysters and on Water Quality". They have some startling results and Secretary would really like the Commissioners to listen to this report and take a position on it. The public comment period will be opened through December and DEQ is basically proposing that within four years all discharges be phased out.

Secretary Van Sickle advised that there is a conference that is starting today, in New Orleans, of the International Association of Fish and Wildlife Agencies with all the state game and fish directors from around the country attending and also includes Canada, Mexico, Taiwan, etc. Secretary Van Sickle invited the Commissioners to attend the meeting and meet some of the people.

Mr. Vujnovich stated he would like to point out something about the oyster season. The first time he and Dr. Clark went out to oyster areas they could not find any oysters. They went another day and were well equipped. The Black Bay area, which has been closed for a year, is now producing plentiful oysters which means that with a little management and proper conservation along with enforcement personnel doing their job that there is a future in seafood industry. Mr. Vujnovich stated that he personally is very happy about what he has seen and if it is handled right there will be a successful oyster industry in the future. Mr. Vujnovich asked that

*and consider supporting the proposal.*

have just completed on the "Effects of Produced Water Discharges on Oysters and on Water Quality". They have some startling results and Secretary Van Sickle would really like the Commissioners to listen to this report ~~and take a position on it.~~ The public comment period will be opened through December and DEQ is basically proposing that within four years all discharging be phased out.

Secretary Van Sickle advised that Louisiana is hosting a conference starting today, in New Orleans, of the International Association of Fish and Wildlife Agencies with all the state game and fish directors from around the country attending and also includes Canada, Mexico, Taiwan, etc. Secretary Van Sickle invited the Commissioners to attend the meeting and meet some of the people.

Mr. Vujnovich stated he would like to point out something about the oyster season. The first time he and Dr. Clark went out to oyster areas they could not find any oysters. They went another day and were well equipped. The Black Bay area, which has been closed for a year, is now producing plentiful oysters which means that with a little management and proper conservation along with enforcement personnel doing their job that there is a future in the seafood industry. Mr. Vujnovich stated that he personally is very happy about what he has seen and if it is handled right there will be a successful oyster industry in the future. Mr. Vujnovich requested that the Enforcement people, the Oyster Task Force, if they can, keep an eye on this area before the season opens on October 3.

Chairman Pol advised that this concludes the major part of the agenda and that the Commission would be going into **Executive Session** to discuss oyster litigation. There being no other business a motion was made by Mr. Jenkins that the Commission adjourn and go into Executive Session. The motion was seconded by Dr. Hines and passed unanimously.

Upon conclusion of the Executive Session Chairman Pol reconvened the September 7, 1990, Commission meeting. There being no other business to bring before the Commission a motion was made by Mr. Jenkins for the adjournment of the September Commission meeting. The motion was seconded by Mr. Vujnovich and passed unanimously.

---

Virginia Van Sickle  
Secretary

VVS:sb

the Enforcement people, the Oyster Task Force, if they can, keep an eye on this area before the season opens on October 3.

Chairman Pol advised that this concludes the major part of the agenda and that the Commission would be going into **Executive Session** on the oyster litigation. There being no other business, a motion was made by Mr. Jenkins that the Commission adjourn and go into Executive Session. The motion was seconded by Dr. Hines and passed.

Upon conclusion of the Executive Session Chairman Pol reconvened the September 7 Commission meeting. There being no other business to bring before the Commission a motion was made by Mr. Jenkins for the adjournment of the September Commission meeting. The motion was seconded by Mr. Vujnovich and passed unanimously.

---

Virginia Van Sickle  
Secretary

VVS:sb